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Maximo McKalaw

THE CASE FOR THE FILIPINOS

BY
MAXIMO M. KALAW

WITH INTRODUCTION BY
MANUEL L. QUEZON
RESIDENT COMMISSIONER FROM THE PHILIPPINES

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165

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TO
MY COMRADES, THE RISING GENERATION OF FILIPINOS,
WHO, THOUGH BENEFICIARIES OF AN ALIEN
GOVERNMENT, HAVE NOBLY KEPT
FAITH WITH THEIR
FOREFATHERS.

INTRODUCTION

For more than one reason this book should be read by those who are interested in Philippine affairs. It accurately presents the different stages through which American public opinion on the so-called Philippine question has passed. It is moreover the first attempt of a young Filipino educated in American schools to write in the English language. Most important of all, it echoes the voice of a generation of Filipinos that has grown to maturity during the period of American sovereignty over the Islands.

Mr. Kalaw fairly represents the generation of Filipinos that is about to become an important factor in shaping the future of the archipelago. He, like other millions of boys who were of school age when the American flag became the symbol of sovereignty in the Philippines, has been educated in public schools taught by American teachers who have endeavored to instil into the mind of their pupils the belief that it is the destiny of the Filipino people to remain forever under the control of the Government of the United States and that with the

realization of this destiny are bound up their well-being, their prosperity, and their individual liberty. Up to the time that Honorable Francis Burton Harrison became Governor-General of the Philippine Islands, independence was a forbidden topic in Philippine public schools. In dealing with Philippine history American teachers were particularly careful to place emphasis upon the benefits accorded to the people of the Islands by the Government of the United States. The merits of the American occupation were painted in the most glowing colors. No effort was spared to make American control appear almost as a gift from heaven. It was the belief among those who were responsible for this policy in the schools that the rising generation of Filipinos would advocate the permanent continuance of the existing political relationship between the United States and the Philippine Islands.

Mr. Kalaw's book makes it clear that this policy has failed. The Filipino youth is even stronger in its aspiration for independence than the generation that is passing by. It is therefore absolutely beyond question that the desire for national independence cannot be eradicated from the hearts of the Filipino people. Such being the case, every consideration of statesmanship goes to show that there is but one wise course by which the Government of

the United States may govern its action with regard to the Philippine Islands; namely, that of granting them a speedy independence. This follows not only from the American principle that "just governments derive their powers from the consent of the governed" but also from the invariable lesson of history that governments cannot endure unless they are based upon the consent of the governed.

Maximo M. Kalaw was born at Lipa, Batangas Province, Philippine Islands, in 1891. He attended the public schools of his native town, and later came to Manila where he entered the University of the Philippines. He is distinctly a product of the American system of education established in the Islands. In his second year at the University of the Philippines, he became editor-in-chief of the "The College Folio"— the University magazine. His management of this journal exhibited such marked ability as to attract attention. He came with the writer to Washington in 1911 as private secretary and manager of "The Filipino People" devoted to the cause of Philippine independence. He has, therefore, been connected with the Philippine independence movement in the United States for five years. He was graduated in law at Georgetown University in 1914.

In 1912 he addressed the annual session of the

Lake Mohonk Conference of the Indian and Other Dependent Peoples, Mohonk Lake, New York, and his presentation of the cause of his people elicited such favorable attention as to call forth favorable comment even from the opposition newspapers. The "Boston Transcript," one of the most persistent enemies of Philippine freedom, had this to say of Mr. Kalaw's speech:

"This youth delivered an oration — it was not a speech — of such force and beauty of expression as has seldom fallen upon the ears of a Mohonk audience. He advocated independence for his people; he said they were all for it; he complimented our work and sacrifices, but he craved that boon of liberty. At the conclusion of his speech the applause was long continued. In contrast with the 'set speeches' of many American travelers in the Islands this effort of the native orator carried refreshing frankness and force. Certainly, if the Islands can furnish such men to plead for them, the day of their liberty is not far distant."

MANUEL L. QUEZON.

Washington, D. C.,
March 23, 1916.

PREFACE

In this volume I have sought to present the so-called Philippine question as it appears to a Filipino and from an angle rather different from that at which other books on the subject have regarded it. The ordinary course taken in the discussion of the Philippine problem is this: If the writer be an advocate of Philippine retention, after hastily disposing, in his first few pages, of Philippine acquisition as an inevitable God-sent incident of the Spanish-American War, he usually devotes the rest of his work to an exhaustive discussion of American achievements in the Islands, the improvements in education, roads, and public buildings, the extension of sanitary measures, and the fostering of commerce and industry; belittling, ignoring, or denying the coöperation given by the Filipinos in accomplishing these results; often depicting them in the darkest colors, if not, indeed, flagrantly misrepresenting them, ridiculing their characteristics, exploiting their supposed ignorance, and exaggerating, if not entirely creating new, native vices and shortcomings. He, too, often takes the greatest

pains to expose the mistakes of some locality or the crimes of some individual, and, by adroit innuendoes, indicates them as the prevailing tendencies of the Filipinos. Nothing in such volumes is spared to prejudice the American people against the Filipinos, so that he may close the volume with the conclusion that American domination must continue indefinitely and that Philippine independence, if any such thing ever be possible, is yet a long way off. On the other hand, if the writer be an advocate of independence, he takes the opposite view, and after making a much more appreciative study of the Philippine Government, established at Malolos, he enumerates in detail the unmistakable signs of capacity manifested by the Filipinos during American occupation, and then urges the granting of independence without any further delay. This discussion has been going on for well-nigh seventeen years, volumes enough to fill a library have already been written on the subject, and yet through this very confusion of authorities the American people are perhaps more hazy now as to Philippine conditions than ever before.

It is not, however, necessary for the American nation to know — and she can never thoroughly know — the minute details of Philippine conditions, in order to be able to settle, once and for all, the Philippine question. She did not have to know

the characteristics and the skulls of the people of Santiago de Cuba, or whether the city of Havana could honestly use the Australian ballot, before she declared that Cuba should be free and independent. It was enough to realize that an entire people were desperately fighting for liberty and that for that cause thousands were starving in *reconcentrado* camps. Without stopping to learn the racial differences separating the inhabitants of the Island or the great ignorance of the masses — much greater than in the Philippines — and even before they had been rescued from tyranny, the principle to be adopted toward that people had been proclaimed to the world — that they were and of right ought to be free and independent.

One fact must be conceded in studying the Philippine question: the Filipinos are *a people,* like the Cubans or the Irish or the French — a distinct political entity, with a consciousness of kind and with national feelings and aspirations, no matter how poorly developed they may be in some directions. Once this fact is conceded, the real issue to be dealt with then becomes not the success or failure of American experiments in the Islands or the fitness or unfitness of the Filipinos to establish American institutions, but the relations that should exist between the American people and the Filipino people. What is the present political status of the Philip-

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their national freedom, and the concessions that are being made to the Filipinos themselves. Such knowledge is necessary not only because it is a part of their history as a nation, but also because it is indispensable to them in their present task of developing their country and preparing it for the ever-widening opportunities of the future.

M. M. K.

CONTENTS

		PAGE
	INTRODUCTION BY HON. MANUEL L. QUEZON	vii
	PREFACE	xi
CHAPTER		
I	THE BIRTH OF THE CUBAN REPUBLIC	3
II	THE ACQUISITION OF THE PHILIPPINES	18
III	REFUSALS TO DISCLOSE AMERICA'S PURPOSE	42
IV	THE PROTEST OF THE FILIPINOS	61
V	PRESIDENT MCKINLEY'S INSTRUCTIONS	82
VI	IMPERIALISM AS THE "PARAMOUNT ISSUE"	98
VII	THE STRUGGLE OVER A LEGISLATIVE ASSEMBLY	119
VIII	PUBLICITY CAMPAIGN OF THE RETENTIONISTS	147
IX	THE VOICE OF THE FILIPINO PEOPLE	174
X	THE JONES PHILIPPINE BILL	204
XI	THE CLARKE AMENDMENT	219

APPENDICES

A.	Treaty of Peace between the United States and Spain	249
B.	President McKinley's Instructions to the Taft Commission	260
C.	Organic Act of the Philippine Islands	272
D.	Utterances of Republican Presidents and Governors-General on the Philippines	322
E.	Democratic Platforms on the Philippines	337
F.	President Wilson's Position on the Philippines	340
G.	Resolution of the Philippine Assembly	348

INDEX 355

THE CASE FOR THE FILIPINOS

THE CASE FOR THE FILIPINOS

CHAPTER I

THE BIRTH OF THE CUBAN REPUBLIC

AS a result of the Spanish-American War, the American nation became the arbiter of the destinies of the Cubans and the Filipinos. It was the first time that the United States had had to decide the fate of two alien peoples, constituting distinct political entities, possessing a civilization different from her own as well as independent characteristics, and aspiring to be, not members of the American Union, but self-governing and independent nations.

Cuba is no longer a problem for the United States. She has attained, through the magnanimity of the American people, that for which she long fought — national independence. The Philippines still remain a problem. They are not yet independent. From the very beginning of the dis-

cussion of the Philippine problem people have questioned why there should be such a difference between the fate of the Cubans and that of the Filipinos, and why there is already a Cuban republic while the Philippines still remain under American sovereignty. To understand, therefore, the whole Philippine question, and to comprehend the past and present attitude of the American people toward the Philippines, some knowledge of Cuban-American relations is indispensable. The American flag, moreover, could not have reached the shores of the Philippines had it not been for the struggles of the Cuban people against Spain.

For many years before the Spanish-American War broke out, the American people had been in sympathy with Cuban aspirations for independence. They extended both moral and material help to their struggling neighbors. Revolutionary preparations were made on American soil, supplies and munitions were shipped from American cities, and expeditions were fitted out in American ports. This attitude of the American nation was so manifest to the world that Spain time and again protested against alleged violations of the neutrality laws of the United States. In 1896, General Weyler began his infamous reconcentration system in Cuba, and destruction of life and property became daily more and more alarming. American public

opinion in favor of Cuba's freedom was constantly growing, and on April 6, 1896, the Congress of the United States, by a large majority, passed a joint resolution recognizing the belligerency of the Cuban insurgents. President Cleveland, however, ignored this resolution completely, preferring to file his protest against the atrocities in Cuba through diplomatic correspondence. President McKinley, upon his assumption of office, renewed the protest of his predecessor through the same channel; but the only answer he received from Spain was that if the United States would enforce the neutrality laws with greater vigor, peace would be soon restored in Cuba. A temporizing policy was characteristic of the Spanish Government and the President soon became convinced of the fruitlessness of his diplomatic endeavors. In his first annual message President McKinley suggested the possibility of intervention; but, a new Spanish ministry having come into power under the leadership of Sagasta, he advocated the continuation of a policy of "watchful waiting" to see what the new Spanish administration would do. Sagasta did promise autonomy for Cuba, recalled Weyler, and proposed a modification of the reconcentration system. But the reform came too late. The Cuban people were tired of promises. The American people were demanding the recognition of Cuban independence.

The atrocities of the Weyler system were constantly exposed in American newspapers. Scenes of death, devastation, and misery were pictured to the American people. Senator Proctor of Vermont during this troublous time made a special trip to the war-ridden island of Cuba, and his report on the conditions he there found intensified American feeling for intervention. Outside of Havana, he said, there was neither peace nor war, but "desolation and distress, misery and starvation." "Conditions are unmentionable in this respect," he continued. "Torn from their homes, with foul earth, foul air, foul water, and foul food or none, what wonder that one half have died and that one quarter of the living are so diseased that they cannot be saved?" His speech, free from any jingoistic or sensational taint, created a profound sensation throughout the country.

Two later incidents hastened American intervention. One was the discovery and publication of a letter sent home by the Spanish minister in which he described the President as a kid-glove politician, a mere "bidder for the admiration of the crowd." For this indiscretion he was promptly recalled. Hardly had the excitement due to this diplomatic blunder subsided when the battleship *Maine* was mysteriously blown up in the harbor of Havana. Upon the report of the Investigation Committee

that the destruction was caused by a mine, the American people could restrain their war spirit no longer and, with the cry of "Remember the Maine," they pressed upon Congress insistent demands for intervention. Finally, after further temporizing by the Spanish Government, the President was forced on April 11, 1898, to send a message, pointing out that forcible intervention offered the only feasible solution of the situation. He laid bare to Congress the unspeakable situation of the Cubans, their misery and starvation, conditions which "shocked the sensibilities and offended the humane sympathies" of the American people.

"Our people," he said, "have beheld a once-prosperous community reduced to comparative want, its lucrative commerce virtually paralyzed, its exceptional productiveness diminished, its fields laid waste, its mills in ruins, and its people perishing by tens of thousands from hunger and destitution. We have found ourselves constrained, in the observance of that strict neutrality which our laws enjoin, and which the law of nations commands, to police our own waters and watch our own seaports in prevention of any unlawful act in aid of the Cubans. . . ." "The only peace that condition would beget," he continued, "was that of the wilderness and the grave." He disclaimed any intention of self-aggrandizement and upheld the humani-

tarian motive of his suggestion for intervention when he uttered the well-known phrase that "forcible annexation, according to American code of morals, would be criminal aggression."

Nine days after the reading of the message, the fateful Teller resolution was passed by Congress and war was practically declared. The resolution is as follows:

Whereas, the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating as they have, in the destruction of a United States battle-ship with two hundred and sixty six of its officers and crew, while on a friendly visit in the harbor of Habana, and can no longer be endured, as has been set forth by the President of the United States in his message to Congress of April eleventh, eighteen hundred and ninety eight, upon which the action of Congress was invited: Therefore,

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled: First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be,

and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the Island to its people.

Never perhaps was a war started with a more lofty or humane purpose. It was the product of a people's righteous indignation against shocking barbarities. Senator Hoar of Massachusetts philosophically pictured America's position at the beginning of the war in the following language:

If there have been any hasty or unwise utterances of impatience in such a cause as that, and I think there have been, they have been honest, brave, humane utterances. But when I enter upon this war, I want to enter upon it with a united American people — President and Senate and House, and army and navy, and Democrat and Republican — all joining hands and all marching one way. I want to enter upon it with the sanction of international law, with the sympathy of all humane and liberty-loving nations, with the approval of our own consciences and with a certainty of the applauding judgment of history.

I confess I do not like to think of the genius of America, angry, snarling, shouting, screaming, kicking, claw-

ing with hand-nails. I like rather to think of her august and serene beauty, inspired by a sentiment even toward her enemies, not of hate, but of love, perhaps a little pale in the cheek and a dangerous light in her eye, but with a smile on her lips as sure, determined, unerring, invincible as was the archangel Michael when he struck down and trampled upon the Demon of Darkness.

The outcome of the war every one knows. The United States came into complete control of the Island, and, by the treaty of Paris, Spain agreed to relinquish "all claims of sovereignty over, and title to, Cuba."

The Spanish troops soon evacuated the Island and left it to the military authorities of the United States. America was now ready to redeem her pledge to the Cuban people. Yet in spite of the almost sacred character of America's duty to recognize Cuban independence, a campaign for the retention of that island began. "There has been no lack of counselors," said Senator Hoar, "to whisper in the ear of the President and Senate and House the dishonorable counsel that we should hold on to Cuba, without regard to our pledges or our principles, and that the resolution of the Senator from Colorado (Mr. Teller) was a great mistake."

Happily the movement for the retention of Cuba did not prosper and as soon as the Spaniards had evacuated the Island, early in 1899, work for the establishment of a stable government preparatory

to its transfer to the Cuban people was begun. This work was entrusted to Gen. Leonard Wood, who was appointed military governor of the Island.

The first step was a census, to ascertain the population and the number of possible voters. It was ascertained that 66 per cent. of the inhabitants could neither read nor write, so that unrestricted suffrage was out of the question, and it was determined that a voter must have either property qualification or literary qualification, or must have belonged to the army, having thus shown his "patriotism to fight for his country." On June 16, 1900, a general election of municipal officers was held. Then, with municipal governments firmly established, a constitutional convention was called on July 25, 1900, "to frame and adopt a constitution for the people of Cuba and, as a part thereof, to provide for and agree with the Government of the United States upon the relations to exist between that Government and the Government of Cuba, and to provide for the election by the people of officers under such constitution and the transfer of government to the officers so elected."

The election was "wholly under the charge of the Cubans, without any participation by officers or troops of the United States." Thirty-one members of the Constitutional Convention met at Habana and began to draft a Cuban constitution.

Meanwhile question arose in Washington as to the relations that Cuba should bear to the United States. Congress decided this question in the so-called "Platt Amendment" adopted on March 2, 1901. That declaration reads as follows:

1. That the Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purpose or otherwise, lodgment in or control over any portion of said Island.

2. That said Government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the Island, after defraying the current expenses of government, shall be inadequate.

3. That the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

4. That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

5. That the Government of Cuba will execute, and, as

far as necessary, extend the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the Island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as the commerce of the southern ports of the United States and the people residing therein.

6. That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

7. That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

8. That by way of further assurance the Government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

The word "intervention" described in the third clause of the Platt Amendment was afterwards explained by Mr. Root, then Secretary of War, in a cable message to Governor Wood, as being "not synonymous with intermeddling or interference with the affairs of the Cuban Government, but the formal action of the Government of the United States based upon just and substantial grounds for the preservation of Cuban independence and the maintenance of a government adequate for the

protection of life, property, and individual liberty, and adequate for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States."

The Platt Amendment was incorporated in the Cuban Constitution, which was accepted by the Government of the United States. On December 31, 1901, the Cuban people elected a President, a Vice-President, Senate, and House of Representatives. Then followed one of the most interesting and inspiring events in the history of free institutions. The flag of the Stars and Stripes, which had been planted in Cuban soil at the expense of American treasure and American blood, was to be voluntarily hauled down to give way to the flag of a newborn nation. With music and song, banners and flowers, and while forty-five guns were being fired as a salute to the American flag, in the presence of a hundred thousand grateful Cubans, the military governor, representing the President of the United States, read the fateful instrument which transferred to "the duly elected representatives of the people of Cuba the government and control of the Island," and declared "the occupation of Cuba by the United States and the military government of the Island to be ended."

The following correspondence, exchanged between President Roosevelt and Secretary Root on

one side and President Palma on the other, will describe better than anything else this interesting episode of the birth of the Cuban nation.

FROM PRESIDENT ROOSEVELT TO PRESIDENT PALMA

White House,
Washington, D. C., May 10, 1902.

To the President and Congress of the Republic of Cuba.
Sirs:

On the 20th of this month the military governor of Cuba will, by my direction, transfer to you the control and government of the Island of Cuba, to be thenceforth exercised under the provisions of the Constitution adopted by your Constitutional Convention as on that day promulgated; and he will thereupon declare the occupation of Cuba by the United States to be at an end.

At the same time I desire to express to you the sincere friendship and good wishes of the United States, and our most earnest hopes for the stability and success of your government, for the blessings of peace, justice, prosperity, and ordered freedom among your people, and for enduring friendship between the Republic of the United States and the Republic of Cuba.

(Sgd.) THEODORE ROOSEVELT,
President of the United States.

ACCEPTANCE OF THE GOVERNMENT BY PRESIDENT PALMA

Habana, May 20, 1902.

Hon. General Leonard Wood,

Sir: As president of the Republic of Cuba, I hereby receive the government of the island of Cuba which you

transfer to me in compliance with orders communicated to you by the President of the United States, and take note that by this act the military occupation of Cuba ceases.

I take this solemn occasion, which marks the fulfilment of the honored promise of the Government and people of the United States in regard to the Island of Cuba, and in which in our country is made a ruling nation, to express to you, the worthy representative of that grand people, the immense gratitude which the people of Cuba feel toward the American nation, towards its illustrious President, Theodore Roosevelt, and toward you for the efforts you have put forth for the successful accomplishment of such a precious ideal.

(Sgd.) T. ESTRADA PALMA.

MESSAGE OF GRATITUDE FROM PRESIDENT PALMA TO PRESIDENT ROOSEVELT

Habana, May 20, 1902.

Theodore Roosevelt, President, Washington:

The government of the Island having been just transferred, I, as Chief Magistrate of the Republic, faithfully interpreting the sentiments of the whole people of Cuba, have the honor to send you and the American people testimony of our profound gratitude and the assurance of an enduring friendship, with wishes and prayers to the Almighty for the welfare and prosperity of the United States.

(Sgd.) T. ESTRADA PALMA.

FROM SECRETARY ROOT TO PRESIDENT PALMA

Washington, May 20, 1902.

President of the Republic of Cuba:

Believe in my heartfelt congratulations upon the inauguration of the republic which the people of Cuba and the people of the United States have fought and labored together to establish. With confidence in your unselfish patriotism and courage and in the substantial civic virtues of your people, I bid you god-speed, and on this happy day wish for Cuba for all time liberty and order, peace and prosperity.

(Sgd.) ELIHU ROOT,
Secretary of War.

FROM PRESIDENT PALMA TO SECRETARY ROOT

Habana, May 21, 1902.

Elihu Root, Secretary of War, Washington:

I am deeply moved by your heartfelt message of congratulation on the inauguration of the Republic of Cuba, to the birth of which the people and the Government of the United States have contributed with their blood and treasure. Rest assured that the Cuban people can never forget the debt of gratitude they owe the great republic, with which we will always cultivate the closest relations of friendship and for the prosperity of which we pray to the Almighty.

(Sgd.) T. ESTRADA PALMA.

Such was America's brief record of her magnanimity towards the Cuban people. No gold can buy such imperishable glory!

CHAPTER II

THE ACQUISITION OF THE PHILIPPINES

THE acquisition of the Philippines by the United States was the most unforeseen event in the history of American expansion. It is often suggested that God himself put the Islands in the care of the American people and therefore they should be regarded as a sacred trust. Yet, before Dewey's victory at Cavite, the majority of the American people did not even know that there was such a thing as the Philippine Archipelago. Senator Williams of Mississippi once remarked that as a member of the House Committee on Foreign Relations during the Spanish-American War it was one of his arduous tasks to climb upon a stool and point out the Islands on the map for the benefit of his colleagues. It would be interesting to know when American statesmen first conceived the probability and desirability of acquiring the Philippines. We should be unreasonable were we to believe that, with war with Spain imminent, no American public men ever thought of the Philippines, garrisoned, as they were, by Spanish soldiers. To military and naval

experts, at least, must have occurred the idea of attacking the Spanish fleet and garrisons in the Islands.

Admiral Dewey was then in the Gulf of California in command of the *Narragansett,* when he received the news of the possibility of the war, and the idea of taking the Philippines at once struck him. His officers felt gloomy at the prospect of being caught by the war while in the Gulf, but he at once said, "If war with Spain was declared, the *Narragansett* will take Manila." This was not said purely in a jocose spirit, for Dewey had really made up his mind to attack the Spaniards in Manila. "In command of an efficient force in the Far East," he said, "with a free hand to act, in consequence of being so far away from Washington, I could strike promptly and successfully at the Spanish force in the Philippines." [1] With this end in view, he sought the commandership of the Asiatic squadron, which he subsequently obtained with the help of Mr. Roosevelt, then Assistant Secretary of the Navy.

While the American people were all excitement over the Cuban question, their indignation increasing every day because of the atrocities committed by the Spaniards in their neighboring island of Cuba, Dewey was busy fitting out his squadron, de-

[1] Dewey, *Autobiography,* p. 168.

termined to destroy the Spanish forces in Manila. He supplied himself with all available information about the Philippines, took on board all the books relating to the Islands he could secure, and began to study the people and the country. He little dreamed that what he proposed to accomplish would divert the thought of the American people into an entirely new channel, change their national ideals, and break down their traditional isolation. He sailed on December 7, 1897. While the public mind was absorbed by the troubles in Cuba, naval authorities in Washington were watching Dewey's movements with interest. On February 25, 1898, Dewey received the following significant order from Assistant Secretary Roosevelt:

Dewey,
Hongkong.

Order the squadron except the *Monocacy* to Hongkong. Keep full of coal. In the event of declaration of war with Spain, your duty will be to see that the Spanish squadron does not leave the Asiatic coast, and offensive operations in Philippine Islands. Keep *Olympia* until further orders.

ROOSEVELT.

Six weeks elapsed after this order was given, before the final break came and he received the order to proceed to Manila and destroy the Spanish fleet.

What happened on that morning of May first is

now a familiar story in America. It was flashed that same day to every American home. It electrified the whole American people into a realization of the significance of that victory. The privations of the Cuban people were temporarily forgotten, and attention was drawn to the other side of the ocean where an American success was in full progress. It was the first battle waged by Americans outside of their own hemisphere. To many of them it was the sign of their entry into the arena of world politics. America, in their conception, was now in reality a world power. Almost in a moment she had crushed the navy of what had once been the greatest of world empires. The way was, therefore, now clear for the fulfilment of America's new rôle. A limitless horizon was open. America's "manifest destiny" was on the way to fulfilment. Who would shirk such a future? Who would pull down the flag raised in Manila Bay? "Who dares halt it now," challenged Senator Beveridge — "now when history's largest events are carrying it forward — now when we are at last one people, strong enough for any task, great enough for any glory destiny can bestow? Blind is he who sees not the hand of God in events so vast, so harmonious, so benign!" The movement for the retention of the Philippines was thus set on foot. It was "the natural impulse of a people full of exultation and

pride over the completeness, without precedent in naval wars, of the victory that Dewey had achieved with a skill and intrepidity that conferred splendor upon American arms. It was the spontaneous outburst of simplest patriotism to ask that that flag, so valiantly planted, might float there forever in memory of the heroes who raised it." [2]

But glory and power were not the only incentives leading to the retention of the Philippines. People thought they saw also visions of vast commercial possibilities. The land of eight million people would be a market for American goods not to be despised. As a distributing center, the Philippines would be even more alluring. They were at the very portals of Asia, whose teeming millions are so much sought after by all European trade. Who would give up such an advantageous position acquired "without the slighest premeditation"? Glowing pictures of the rich fields for American enterprise were painted in imagination. There was a glamour of romance in the grand project. China was supposedly on the verge of partition and America's possession of the Philippines would certainly strengthen her sphere of influence in that country.[3]

[2] Henry Watterson, *History of the Spanish-American War*, p. 277.

[3] "The movement for the partition of China was well under way when the United States went to war with Spain and the

"Together with the Islands of the Japanese Empire, since the acquirement of Formosa," Mr. Vanderlip said, "the Philippines are the pickets of the Pacific, standing guard at the entrances to trade with the millions of China and Korea, French Indo-China, the Malay Peninsula, and the islands of Indonesia to the south. Australia may even be regarded as in the line of trade. The possession of the Philippines by a progressive, commercial power, if the Nicaragua Canal project should be completed, would change the course of ocean navigations as it concerns a large percentage of the water-borne traffic of the world. The project is alluring. In the undeveloped resources of the Philippines the sanguine radicals see a great opportunity for our genius. They recognize that in a decade we might make a change greater than has been wrought since Magellan's discovery until the present time. They see great development companies formed to cultivate tobacco and sugar by modern methods, others formed to test the richness of the unknown mineral deposits, and still others to

Philippine Islands came within its grasp. To seize a sphere of influence in China seemed utterly repugnant to the traditional policy of the United States, and would not have been acquiesced in by the Senate; but the occupation of the Philippines would give a point of vantage from which the American Government could still exercise a decisive influence in the Orient. Such considerations were probably the main factor in President McKinley's decision to retain the Philippines." —J. H. Latane, *America as a World Power*, p. 102.

develop transportation or to reap the treasures of the forest." [4]

So sudden was this rise of the unforeseen imperialistic tide, so great was the desire for vast colonial possessions, that many even sought to retain Cuba despite America's most solemn declaration that the Cuban people "are and of right ought to be free and independent."

What the Filipino people might have to say of this policy apparently never entered the minds of the rank and file of the American people. In that proud hour of national rejoicing over a glorious victory the American people failed to see on the other side of the Pacific anything but the splendor of their arms. Their eyes were fixed not on the solid earth but on the tropic sky where waved for the first time their national emblem. Annexing the Philippines was like any other previous act of American expansion, save that it signified a much greater thing — America's rise into the position of a world power. There was no conception of the existence in the Islands of any native, well-defined political entity that might oppose such annexation. The Philippines were nothing save a geographical expression; and a few months before the decisive victory of Manila Bay had not been even a "geographical expression," for the majority

[4] Frank A. Vanderlip, "Century Magazine," August, 1898 cited in Sen. Doc. 62, Pt. I, 55th Cong., 3d ses., p. 561.

of the American people were then unable to locate the Islands on the map.

American public men were evidently puzzled at this sudden turn of public sentiment. It was unexpected. The Spanish-American War was at first waged simply as a protest against Spain's iniquitous imperialistic policy. The American people viewed that war as a war for humanity and not for territorial aggrandizement. No more vigorous spokesman of this sentiment was there than President McKinley himself. His public utterances were fraught with protestations of America's unselfish purposes. He had said that forcible annexation was not to be thought of, for according to American standards it would be criminal aggression.[5] Even before he had entered the White House he was a determined champion of human rights. "Human rights and constitutional privileges," he had proclaimed, "must not be forgotten in the race for wealth and commercial supremacy. The government by the people must be by the people and not by a few of the people. It must rest upon the free consent of the governed, and of all the governed. Power, it must be remembered, which is secured by oppression, or usurpation, or by any form of injustice, is soon dethroned."[6]

[5] Message of April 11, 1898.
[6] Speech at the New England dinner, New York City, 1890.

It took, however, several months completely to visualize the sentiment and movement for the retention of the Philippines; and upon the signing of the peace protocol of August 12, 1898, the President was still undecided as to what course he should take with regard to the Islands. He was rather inclined not to annex them. The French ambassador, who negotiated the protocol, was quoted as saying that during the negotiations he was made to understand that the exercise of sovereignty over the Philippines was to suffer no change. The protocol simply stated that "the United States will occupy and hold the city, bay, and harbor of Manila, pending the conclusion of the treaty which shall determine the control, disposition, and government of the Philippines." [7]

The day after the signing of the protocol, the President, however, caused a very significant cablegram to be sent by the navy department to Admiral Dewey. This was indicative of the fact that the President was beginning to heed the growing popular demand to secure the Philippines for naval and commercial purposes. The cable read as follows:

Dewey,

c/o American Consul, Hongkong.

The President desires to receive from you any important information you may have of the Philippines, the

[7] Article III of the protocol.

desirability of the several islands, the character of their population, coal, and other mineral deposits, their harbor and commercial advantages, and, in a naval and commercial sense, which would be the most advantageous. If you have other information which may be of value to the Government in their negotiations, the President may desire your presence here. If he should request you to come, take quickest route of travel.

ALLEN, Secretary.

On the same day that the above cablegram was sent, Manila fell into the hands of the American troops. This event must have stimulated the already strong passion for the possession of the Philippines. Of the five commissioners appointed to negotiate the final treaty with Spain, three were already known to favor the acquisition of territory in the Far East. They were the Hon. Cushman C. Davis, chairman of the Senate Committee on Foreign Relations, the Hon. William P. Frye, member of the same committee, and the Hon. Whitelaw Reid, formerly envoy extraordinary and minister plenipotentiary of the United States to France. The other members were the Hon. William R. Day, Secretary of State, who acted as president of the Commission, and the Hon. George Gray, member of the Senate Foreign Relations Committee. Five weeks after the signing of the protocol, the President handed to the American commissioners the instructions that would guide them in negotiating

the treaty of peace. A marked change had now appeared in his attitude toward the Philippines. He first explained the attack on Manila, saying that notice of the protocol was sent as soon as possible but that when it reached the Islands, Manila had already been taken. Manila was, therefore, according to the Administration's viewpoint, held by the United States not primarily by virtue of the protocol but by conquest. "In view of what has taken place," the instructions continued, "it is necessary now to determine what shall be our future relations to the Philippines. Before giving you specific instruction on this subject it is my desire to present certain general considerations." President McKinley then reiterated the humane objects of the war. "It is my earnest wish," he said, "that the United States in making peace should follow the same high rule of conduct which guided it in facing war. . . . The luster and the moral strength attaching to a cause which can be properly rested upon the considerate judgment of the world should not under any illusion of the hour be dimmed by ulterior designs which might tempt us into excessive demands or into adventurous departure on untried paths." Evidently these general considerations, pregnant with lofty thoughts and ideals, referred only to Spain's territories in the Western Hemisphere, for, turning back to the subject of the

Philippines, the President said: "The Philippines stand upon a different basis. It is none the less true, however, that, without any original thought of complete or even partial acquisition, the presence and success of our arms at Manila impose upon us obligations which we cannot disregard. The march of events rules and overrules human action. Avowing unreservedly the purpose which has animated all our effort, and still solicitous to adhere to it, we cannot be unmindful that, without any desire or design on our part, the war has brought us new duties and responsibilities which we must meet and discharge as becomes a great nation whose growth and career from the beginning the Ruler of nations has plainly written the high command and pledge of civilization." This, however, was designed only as an introduction to the expression of the President's real desire with regard to the Philippines. The next paragraph would indicate that Mr. McKinley was not blind to his people's vision of commercial greatness. "Incidental to our tenure in the Philippines," he continued, "is the commercial opportunity to which American statesmanship cannot be indifferent. It is just to use every legitimate means for the enlargement of American trade, but we seek no advantages in the Orient which are not common to all. Asking only the open door for ourselves, we are ready to accord the open

door to others." Then as a logical sequence of the foregoing considerations the finale came in the form of a demand for " the cession in full right and sovereignty of the island of Luzon."

The Spanish and American commissioners met in Paris on October 1, 1898. Several days afterwards General Merritt arrived with statements on conditions in the Philippine Islands from General Greene, Major Bell, Admiral Dewey, Colonel Jewett, and the Belgian consul, André. These statements of Philippine conditions were to guide the American commissioners in deciding the fate of the Philippines. The papers read were practically of the same tenor — that it would not be wise to return all of the Islands or perhaps even some of them to Spain, that the natives would not offer much resistance to American rule, and that, above all, the cession of the entire archipelago would be a " good business proposition " for the American nation. The opinion which probably weighed most on the American commissioners as coming from an impartial observer was that of the Belgian consul in Manila, Mr. André. He said:

The United States can assure a steady government in these Islands, and in their hands the country will increase in wealth, and will, in a short time, be able to return to the United States the money laid out; and it

would be certainly much cheaper and more humane to take the entire Philippines than to keep only part of it and to run the risk of a second war with Spain for the very same reason that provoked the present conflict. It is the duty of the United States to do so and to protect the entire country.[8]

John Foreman, the well-known writer on the Philippines, was also asked his opinion, and he said that it would be best to take all of the Philippine Islands.

The information received failed, however, to harmonize the conflicting views of the American commissioners as to the disposition of the Philippines, and on October 25, 1898, the commissioners cabled their different opinions to Washington. The three commissioners who had been, even before the treaty, reported as favoring American acquisition in the East earnestly urged the cession of all the Islands. Mr. Day favored the cession of Luzon only as a test of America's capacity for colonial rule. Senator Gray was opposed to the cession of the whole archipelago or of part of it. His was a strong anti-expansionist plea. He telegraphed to Washington as follows:

The undersigned cannot agree that it is wise to take Philippine Islands in whole or in part. To do so

[8] Sen. Doc. 62, 55th Cong., 3rd ses., p. 389.

would be to reverse accepted continental policy of the country, declared and acted upon throughout our history. Propinquity governs the case of Cuba and Porto Rico. Policy proposed introduces us into European politics and the entangling alliances against which Washington and all American statesmen have protested. It will make necessary a navy equal to largest of powers; a greatly increased military establishment; immense sums for fortifications and harbors; multiply occasions for dangerous complications with foreign nations, and increase burdens of taxation. Will receive in compensation no outlet for American labor in labor market already overcrowded and cheap; no area for homes for American citizens; climate and social conditions demoralizing to character of American youth; new and disturbing questions introduced into our politics; church question menacing. On whole, instead of indemnity — injury.

The undersigned cannot agree that any obligation incurred to insurgents is paramount to our own manifest interests. Attacked Manila as legitimate war against Spain. If we had captured Cadiz and Carlists had helped, would not owe duty to stay by them at the conclusion of war. On the contrary, interests and duty would require us to abandon both Manila and Cadiz. No place for colonial administration or government of subject people in American system. So much from standpoint of interests; but even conceding all benefits claimed for annexation, we thereby abandon the infinitely greater benefit to accrue from acting the part of a great, powerful, and Christian nation; we exchange the moral grandeur and strength to be gained by keep-

ing our word to the nations of the world and by exhibiting a magnanimity and moderation in the hour of victory, that becomes the advanced civilization we claim, for doubtful material advantages and shameful stepping down from high moral position boastfully assumed. We should set examples in this respect, not follow in the selfish and vulgar greed for territory which Europe has inherited from medieval times. Our declaration of war upon Spain was accompanied by a solemn and deliberate definition of our purpose. Now that we have achieved all and more than our object, let us simply keep our word. Third article of the protocol leaves everything concerning the control of the Philippine Islands to negotiation between the parties.

It is absurd now to say that we will not negotiate but will appropriate the whole subject matter of negotiation. At the very least let us adhere to the President's instructions and if conditions require the keeping of Luzon forego the material advantages claimed in annexing other islands. Above all let us not make a mockery of the injunction contained in those instructions, where, after stating that we took up arms only in obedience to the dictates of humanity and in the fulfilment of high public and moral obligations, and that we had no design of aggrandizement and no ambition of conquest, the President among other things eloquently says:

"It is my earnest wish that the United States in making peace should follow the same high rule of conduct which guided it in facing war. It should be as scrupulous and magnanimous in the concluding settlement as it was just and humane in its original action."

This and more, of which I earnestly ask a reperusal, binds my conscience and governs my action.

GEORGE GRAY.

Wednesday, 12:30, night.

The next day, October 26, however, came a final and definite reply from Mr. Hay:

MR. HAY TO MR. DAY

October 26, 1898.

The information which has come to the President since your departure convinces him that the acceptance of the cession of Luzon alone, having the rest of the Islands subject to Spanish rule, or to be the subject of future contention, cannot be justified on political, commercial, or humanitarian grounds. The cession must be of the whole archipelago or none. The latter is wholly inadmissible, and the former must therefore be required.[9]

Thus the third and last stage was reached in the process of Philippine acquisition. During the first stage the President was free not to take and had no intention of taking the Islands, then he gave instructions to demand the cession of Luzon, and lastly he asked the whole or none.

All these communications had passed before the subject of the Philippines came up for formal discussion in the conference.

In the meanwhile a critical situation had been

[9] *Foreign Relations, 1898*, p. 935.

reached in the conference, for the Spanish commissioners insisted that the United States should assume the Cuban debt, and the American commissioners were determined not to assume it. A break of the conference was now imminent. In the evening of October 26, the Spanish ambassador called on Mr. Reid for an informal conversation. Mr. Reid again assured the ambassador that the American Government could not assume the Cuban debt, the American people being strongly against it. Then the ambassador "urged the question to be laid aside until it could be seen if some concessions elsewhere might not be found which would save the Spanish commission from utter repudiation at home." The ambassador then begged Mr. Reid to search for some possible concession somewhere and inquired about the Philippine Islands. Apparently this informal talk smoothed matters a little, for the next day the Spanish commissioners announced that they accepted the draft of Articles I and II, by which it was agreed that Spain would relinquish her sovereignty over Cuba and Porto Rico without any reference being made as to the Cuban debt, but that this acceptance would be "subject to agreement being reached on all the articles which the treaty should contain." Evidently they expected better treatment in the case of the Philippines.

The formal demand for the cession of the Philippine Islands was offered on October 31. The demand stated further that the American commissioners were prepared "to insert in the treaty a stipulation for the assumption by the United States of any existing indebtedness of Spain incurred for public works and improvements of a pacific character in the Philippines." The Spanish Commission received this demand with expressions of great surprise and immediately rejected it. They maintained that such an offer was not warranted by the peace protocol. At the signing of this document, they claimed, President McKinley "not only had no idea that Spain would have to cede the Philippine archipelago to the United States but entertained, on the contrary, an opposite idea, namely, that Spain would retain her sovereignty over it." [10] They further contended that the words "control, disposition, and government" (*le contrôle, la disposition, et la gouvernement*) used in Article III of the protocol did not embrace the subject of sovereignty. The American commissioners naturally took the opposite view, saying that the protocol meant that the treaty would decide what was to be done with the Philippines.

One of the claims of President McKinley was that the sovereignty of the Philippines could be de-

[10] Sen. Doc. 62, pt. 1, 55th Cong., 3rd ses., p. 121.

manded by right of conquest. After a careful study, however, of the question by the American commissioners, the majority of them became convinced that such a position was unwarrantable and on November 3 wired the President accordingly.

Although the cession of the whole group of islands was demanded, the individual commissioners had still different views as to what the United States should have. On November 11, each commissioner cabled his individual opinion to the President. Mr. Day was inclined to think that the Philippines would be more of a burden than benefit to the United States and that the only service it would render would be that of a naval and commercial basis. He suggested the taking of Luzon and its adjacent islands only. If the whole group should be demanded, he was of the opinion that a lump sum should be paid for them, knowing that he and his colleagues were dealing "with a bankrupt nation."

Mr. Frye said: "I favor the taking of the entire group and paying $10,000,000 in gold, a fair estimate of debt properly chargeable to the Philippine Islands. If necessary to secure a treaty, and, I believe, it is, I would take Luzon, Mindoro, Palawan, also Ponape, of the Carolines, paying from $5,000,000 to $10,000,000."

Mr. Gray still adhered to his former opinion that the United States should not take either the whole

or a part; but added: "Believing that the result of a failure to obtain a treaty would be the possible seizure of the whole Philippine Islands group, an event greatly to be deprecated as inconsistent with the traditions and civilization of the United States, I would be willing to take the Islands by the cession of a treaty of peace, and I would, to that end, make such reasonable concessions as would comport with the magnanimity of a great nation dealing with a weak and prostrate foe. I mean that I would prefer the latter alternative to the former, not that I have changed my mind as to the policy of taking the Philippine Islands at all."

Mr. Reid felt that Spain should repay indemnity with territory inasmuch as she had no money. But to secure a definite treaty of peace, he would take the Philippine Islands and Carolines, paying for the latter and for pacific expenditures in the former from $12,000,000 to $15,000,000. He would not insist on the inclusion of Mindanao and Zulu.

Mr. Davis' opinion was the most uncompromising of all. He said that the United States should demand the Philippine Islands, Porto Rico, Guam, and the sovereignty of Cuba without offering a money payment.

The President's final instructions were sent on November 13. He reiterated that the United States was fully entitled to indemnity for the cost of the

war. If Spain could pay the cost of the war and the claims of American citizens, give a suitable guaranty to the people of the Philippines, and grant the United States naval and telegraph concessions and other trade advantages, then she might retain the sovereignty of the Philippine Islands. "From the standpoint of indemnity," the President continued, "both the archipelagoes are insufficient to pay our war expenses; but, aside from this, do we not owe an obligation to the people of the Philippines which will not permit us to return them to the sovereignty of Spain? Could we justify ourselves in such a course, or could we permit their barter to some other power? Willingly or not, we have the responsibility of duty which we cannot escape." The Commission was in conclusion finally and definitely instructed to demand the whole of the Philippine Islands and, if necessary, pay Spain from $10,000,000 to $20,000,000.

The humanitarian argument for the first time appeared in the course of this proposal to take all the Philippines. We shall hear more of this argument later on. The commissioners had never for a moment thought of the future of the Filipino people. Everything had been a "business proposition" to them. Mr. Gray's objection to the plan of taking the Philippines was likewise made on the purely business ground that it would not pay to

keep the Islands and that it was a dangerous policy to embark upon a colonial scheme. The other commissioners acted — and rightly — simply as business agents of Mr. McKinley under instructions, first, to demand Luzon and then the whole of the Philippines. After hearing the information furnished by American and other witnesses who had come from the Islands, most of the commissioners came to the conclusion that the entire archipelago should be taken. "It was first thought," said Mr. Davis, "that it would be sufficient for naval and strategic purposes to take the island of Luzon only; but the best military and naval authorities laid the situation before us from a military, naval, and strategic point of view, and made it perfectly clear that we must either take the entire archipelago or abandon it entirely; that the situs of those islands as to each other was such that the acquisition of one, with a hostile power, or a foreign power of whatever disposition, holding any of the others, would only reproduce the conditions of Cuba as against the United States and create a perpetual threat and danger in the waters of the East." Besides the strategic point referred to, Senator Davis added that it was of the utmost importance that the United States should have also "a commanding commercial position" in the waters of the East "in view of the astounding changes which the Chinese

Empire has been subjected to and is destined to further undergo." "I am interested that this country shall have its share of trade of that great empire," continued Senator Davis. "California, Washington, and Oregon have scarcely more than two millions of people. I want to see the commercial development of that part of our country expand until there shall be twenty millions of people there; and I do honestly and sincerely believe, from all I have studied and thought on that subject, that the retention of the Philippine Islands, and their adjustment to our needs and destiny, is a necessary and indispensable step in the advancement to which I have so alluded."

In accordance with the final instructions, received by the commissioners from Washington, there was put forward an ultimate proposal for the cession of the whole archipelago and the payment by the United States of $20,000,000. Realizing that this proposal admitted of no other alternative and that they must accept it or break off negotiations, the Spanish commissioners finally submitted to what they called "the law of the victor" and on November 29 formally agreed to the proposal. The treaty was finally signed on December 10, 1898.

CHAPTER III

REFUSALS TO DISCLOSE AMERICA'S PURPOSE

THE peace commissioners returned to America well satisfied with the work they had accomplished. The American people were more enthusiastic than ever over the acquisition of the Philippines. President McKinley had just returned from a trip through the Western States, where he found the imperialistic fever at its height. Everywhere he went he was met by enthusiastic crowds asking that he should never haul down the flag at Manila. It might have been thought that such an attitude was out of place in the progressive States of the West but, as one American writer puts it, breathing the spirit of pioneer life, with the cry of "Westward ho!" of the days of prairie migration still ringing in their ears, they were more prone to hail Philippine retention with alacrity, thinking that this was like another Louisiana Purchase and nothing more. In the heat of their enthusiasm the results that such a policy might entail never occurred to them, nor was serious consideration given the fact that in thus acting they would deprive a

people of the right to its own independent existence. President McKinley returned to Washington convinced that the entire American people wanted to retain the Islands, and he thereupon endeavored to bring about that result.

After the holiday recess of Congress the treaty was submitted to the Senate, and it was at once referred to the Committee on Foreign Relations. But its ratification was by no means an easy task. Strong opposition had already arisen in the Senate to the acquisition of the Philippines. As Senator Lodge cleverly put it, the complaint against the peace commissioners was not their having secured too little from Spain, but their having secured too much.

There were several objections to the treaty. One was that the United States had no constitutional power to acquire territories for the purpose of governing them as colonies. It was argued, on the other side, that the constitutionality of the treaty should be dealt with by the courts and not by the Senate. Again this argument was answered to the effect that the constitutional purpose of any annexation was within the political and not the judicial jurisdiction of the nation and that the government of foreign peoples against their will was not a constitutional purpose but a purpose forbidden in the Constitution. Just two days after the signing

of the treaty of Paris, Senator Vest introduced a resolution which declared that under the Constitution the United States Government had no power "to acquire territory to be held and governed permanently as colonies," for all territories designed to be acquired must be acquired and governed "with the purpose of ultimately organizing such territory into States suitable for admission into the Union." Senator Mason, who spoke for the resolution, contended that the United States Government could not acquire any territory without the consent of the people thereof, for governments derive their just powers from the consent of the governed. Senator Teller replied that that principle held good only when there was a political entity in the territory that could make itself heard. "It is impossible," said Senator Teller, "to treat them (the Filipinos) as a nation, because there is no government there, no recognized power to speak for them." Senator Hoar's position, on the other hand, was that there was a native political entity to be reckoned with in the Islands.

But it was evident at the time that, to the majority of senators, the vital question was not whether there was such a thing as a Philippine nation or not, but whether the United States were to be led into a policy of colonization, or whether they were to remain true to their traditional policy of

holding no peoples whatever as subjects. The Administration was not prepared to favor the extension to the Filipinos of American citizenship, yet it persisted in the desire to retain the Philippines indefinitely, against the will of their inhabitants. Whether President McKinley admitted it or not, that was certainly an imperialist policy, necessarily leading to the establishment of an American colonial system. Strong opponents of such a course naturally appeared. They called themselves Anti-imperialists. They contended that the principles of the American republic and the holding of colonies were incompatible; that the American nation could have no subjects since she was composed of free citizens; that their Government could not consistently rule a people without their consent.

In order to save America from such a policy, the opponents of the treaty proposed to amend it or to pass a resolution declaring that the Philippines would be ultimately, if not immediately, given their independence. They declared that if such a resolution were to be passed first or a similar amendment accepted, they would support the treaty. A number of resolutions were introduced to accomplish that purpose, chief among which were those of Senator Bacon, which read as follows:

1. That the Government and people of the United States have not waged the recent war with Spain for

conquest and for the acquisition of foreign territory, but solely for the purpose set forth in the resolution of Congress making the declaration of said war, the acquisition of such small tracts of lands or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

2. That in demanding and in receiving the cession of the Philippine Islands, it is not the purpose of the Government of the United States to secure and maintain dominion over the same as a part of the territory of the United States or to incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government.

3. That whereas at the time of the declaration of war by the United States against Spain and prior thereto, the inhabitants of the Philippine Islands were actively engaged in war with Spain to achieve their independence, and whereas said purpose and the military operations thereunder have not been abandoned but still being actively prosecuted thereunder; therefore, in recognition and in obedience to the vital principle announced in the great declaration that "governments derive their just powers from the consent of the governed," the Government of the United States recognizes that the people of the Philippine Islands are, and of a right ought to be free and independent; that with this view and to give effect to the same, the Government of the United States has required the Government of Spain to relinquish its authority and government in the Philippine Islands, and to withdraw its land and naval forces from the Philippine Islands and from the waters thereof.

4. That the United States hereby disclaim any dis-

position or intention to exercise sovereignty, jurisdiction, or control over said islands, and their determination when a stable and independent Government shall have been duly erected therein entitled to recognition as such, to transfer to such Government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the Islands to their people.

Many of the opponents of ratification felt that the treaty was an injustice to the Filipinos and therefore opposed it. They did not understand why the Cubans should be treated differently from the Filipinos, more so when Admiral Dewey repeatedly asserted that the Filipinos were better qualified for self-government than the Cubans. "Tell me why," asked Senator Mason, "we should adopt one plan for Cuba and another for the Philippines? Do you say with the explosionists — I mean the expansionists — We promised we would not steal Cuba, but we did not promise not to steal the Philippines? Do you say with Shylock, Is it so nominated in the bond? You remember Jack in the *Two Orphans* was charged with stealing a coat. He said, 'You lie; it was a cloak.' Will you tell me, please, how grand larceny and criminal aggression in Cuba become high Christian civilization in the Philippines? Is there some place in the Pacific Ocean where we change the code of ethics and good morals

as we change the calendar and the ship's clock in crossing?"

There were senators and congressmen who were fearful lest the ratification of the treaty might mean the introduction of the Filipino people into the American body politic. The very idea was repugnant to them. Senator McLaurin, for instance, declared that he was entirely against "the incorporation of a mongrel and semi-barbarous population into our body politic," a population that, so far as he could ascertain, "is inferior to, but akin to, the Negro in moral and intellectual qualities and in capacity for self-government." Senator White, on January 23, 1899, expressed similar abhorrence at the idea of annexing a land tenanted by "an heterogeneous compound of inefficient Oriental humanity. If they were so fitted, they should be permitted to establish a free government; if they are not so fitted, they should not be brought into an alliance with us; we do not in that event want them. Those who are incompetent to control themselves should not be of us."

In the meanwhile the situation in the Philippines was growing every day more delicate and complicated. Even admitting that no definite promise to recognize Philippine independence had ever been authorized by the government, the American representatives in the Orient certainly acted, to say the

very least, in a way that would certainly assure, and did assure, the Filipinos that the United States had no desire to acquire the Philippines but rather wished to help the people to obtain their independence. How could they have acted otherwise when they knew full well that the Spanish-American War was waged for the humanitarian purpose of freeing Cuba? When those American representatives found out that their Government had a different intention toward the Philippines, they naturally changed their attitude toward the Filipinos into one of sudden frigid indifference approaching hostility. American soldiers were arriving in the Islands, and the Filipinos were becoming apprehensive every day concerning America's real intent. The famous "benevolent assimilation" manifesto of December 21, 1898, issued by President McKinley, already claiming sovereignty over the Philippines even before the ratification of the treaty of Paris, confirmed the suspicion of the Filipino people. This warlike attitude of the Administration toward the Filipinos was viewed with alarm by many senators. Legally, the protocol of peace, signed on August 12, 1898, was still in force, pending the ratification of the treaty, and the United States had no authority to claim sovereignty over the Philippines, much less to wage war on the Filipinos. On January 11, 1899, Senator

Allen introduced a resolution declaring that "any aggressive action by army or navy on the part of the United States against the Filipinos would be an act of war unwarranted on the part of the President and the exercise of constitutional power vested exclusively in Congress." Senator Bacon saw across the ocean the situation in Manila laden with trouble. "While there is no declaration of war," he said, "while there is no avowal of hostile intent, with two such armies fronting each other with such diverse intents and resolves, it will take but a spark to ignite the magazine which is to explode." [1] There was, therefore, in the opinion of Mr. Bacon, an urgent necessity to declare the intention of the United States towards the Filipinos. "They are opposed to the occupation of their islands by the United States troops," exclaimed the Senator, "because of the apprehension that it is the purpose of the United States Government to maintain permanent dominion over those islands; and whenever we shall, by such resolutions as these, say solemnly to the world that such is not our purpose, there is no longer any danger or difficulty."

At last on January 25, it was agreed that a vote on the treaty should take place on February 6. The opponents of ratification were quite confident that

[1] The opening of hostilities on February 4 showed how true was this prophecy.

the Administration could not carry two thirds. In the midst of this struggle Mr. Bryan came to Washington and urged the Democratic senators to support the treaty. Mr. Bryan contended that the treaty committed the United States to no policy and that after the ratification the issue of imperialism should be brought before the American people for decision. "The ratification of the treaty," he said, "instead of committing the United States to a colonial policy, really clears the way for the recognition of a Philippine Republic. Lincoln, in his first inaugural message, condensed an unanswerable argument into a brief question when he asked, 'Can aliens make treaties easier than friends can make laws?' The same argument is represented in the question, Could the independence of the Filipinos be secured more easily by diplomacy from a foreign and hostile nation than it can through laws passed by Congress and voicing the sentiments of the American people? If independence is more desirable to our people than a colonial policy, who is there or what is there to prevent the recognition of Philippine independence? It is absurd to say that the United States can be transformed from a republic into an empire without consulting the voters." [2]

This step of Mr. Bryan's was resented by many

[2] At the Democratic Banquet, Saint Paul, Minn., February 14, 1899.

opponents of the treaty. Senators Hoar and Turner were specially strong in their disapproval of Mr. Bryan's position. They maintained that the main issue was the ratification of the treaty, for such ratification would commit the United States to a policy of indefinite retention. "We have covenanted with Spain," contended Senator Turner, "to admit her ships and merchandise to the ports of the Philippine Islands on the same terms as our own for the period of ten years. We have made divers and sundry stipulations, having no limitation of time, for the security of property and individual right in all territory ceded or relinquished by Spain, including ecclesiastical property, which necessarily presupposes continued sovereignty. We have made stipulations concerning judicial proceedings, which presupposes the same thing. We have covenanted to admit certain articles of Spanish production free of duty in the Philippines for ten years. And, finally, we limit these limitations so far as they apply to Cuba to the time of our occupancy of that island, but we make no such limitation concerning the Philippines." [3]

The speech of Senator Lodge was probably the ablest presentation of those who favored ratification. He appealed to the wisdom and patriotism of the American people, to whom, he said, could be

[3] Speech in the Senate, January 19, 1899.

left the final decision of the future of the Philippines. He virtually told the opponents of the treaty that the time for deciding the question of policy would be after the ratification. He said in part:

There is only one question demanding actual and immediate decision now before Congress and people, and that is whether the treaty with Spain shall be ratified or not. I have heard no opposition expressed to any part of the treaty except such portion of it as relates to the Philippines, and that, therefore, is the sole point upon which I desire to touch. In our war with Spain we conquered the Philippines, or, to put it more exactly, we destroyed the power of Spain in those islands and took possession of their capital. The treaty ceded the Philippines to us. It is wisely and skilfully drawn. It commits us to no policy, to no course of action whatever in regard to the Philippines.

When that treaty is ratified we have full power and are absolutely free to do with those islands as we please, and the opposition to its ratification may be summed up in a single sentence — that the American people and the American Congress are not to be trusted with that power and with that freedom of action in regard to the inhabitants of those distant islands. Every one of the resolutions thus far offered on this subject is an expression of distrust in the future and in our dealings with other people. It is a well-meant effort to make us give bonds to Fate by means of a congressional resolution.

We must either ratify the treaty or reject it, for

I cannot suppose that any one would seriously advance the proposition that we should amend the treaty in such a way as to make pledges to Spain, and Spain alone, and give bonds to Spain, and Spain alone, for our good conduct in a matter which will be wholly our own to decide. Let us look, then, at the two alternatives. Suppose we ratify the treaty. The Islands pass from the possession of Spain into our possession without committing us to any policy. I believe we can be trusted as a people to deal honestly and justly with the Islands and their inhabitants thus given to our care. What our precise policy shall be I do not know, because I for one am not sufficiently informed as to the conditions there to be able to say what it will be best to do; nor, I may add, do I think any one is. But I believe that we shall have wisdom not to attempt to incorporate those islands with our body politic, or make their inhabitants part of our citizenship, or set their labor alongside of ours and within our tariff to compete in any industry with American workmen.

It is for us to decide the destiny of the Philippines, not for Europe; and we can do it alone and without assistance.

Take, now, the other alternative. Suppose we reject the treaty or strike out the clause relating to the Philippines. That will hand the Islands back to Spain, and I cannot conceive that any American should be willing to do that. Suppose we reject the treaty, what follows? Let us look at it practically. We continue the state of war, and every sensible man in the country, every business interest, desires the reëstablishment of peace in law as well as in fact. At the same time

we repudiate the President and his action before the whole world, and the repudiation of the President in such matter as this, is, to my mind, the humiliation of the United States in the eyes of civilized mankind and brands us as a people incapable of treating affairs or of taking rank where we belong as one of the greatest of the great world powers.

At last the decisive day, the 6th day of February, arrived. Every attempt to pass any of the resolutions declaring America's purpose towards the Islands had failed. Many of those who would otherwise have opposed retention took the view expressed in Mr. Lodge's speech. They did not want to give "bonds to Spain" for their "good conduct" in a matter wholly their own to decide. They were promised that once the legal title to the Philippines was secure, the Senate would immediately proceed to decide what should be done to the Islands. Two days before the day set for the vote on the treaty, the Filipino-American War broke out, the Filipinos, it was claimed, having treacherously began the hostilities. This, together with Mr. Bryan's support, decided the fate of the treaty. In spite, however, of this favorable turn of events for the supporters of the treaty, when the Senate met in executive session on February 6, the Administration was not sure of victory. It needed two thirds of the votes, and it had only 58 sure votes, 29 being against, the

remaining 3 doubtful. Within an hour two of the doubtful votes were declared to be for the treaty, and the third was cast for it after two roll calls, the final vote being 61–29 (including pairs). There was only one vote to spare.[4]

The vote was as follows:

FOR RATIFICATION

Aldrich	Faulkner	McBride	Ross
Allen	Foraker	McEnery	Sewell
Allison	Frye	McLaurin	Shoup
Baker	Gallinger	McMillan	Simon
Burrows	Gear	Mantle	Spooner
Butler	Gray	Mason	Stewart
Carter	Hanna	Morgan	Sullivan
Chandler	Hansbrough	Nelson	Teller
Clark	Harris	Penrose	Thurston
Clay	Hawley	Perkins	Warren
Cullom	Jones (Nevada)	Pettus	Wellington
		Platt (Conn.)	Wolcott
Davis	Kenney	Platt (New York)	
Deboe	Kyle		
Elkins	Lindsay	Pritchard	
Fairbanks	Lodge	Quay	Total 57

AGAINST RATIFICATION

Bacon	Chilton	Hale	Mallory
Bate	Cockrell	Heitfeld	Martin
Berry	Daniel	Hoar	Mills
Caffery	Gorman	Jones (Arkansas)	Mitchell

[4] Lodge, *War with Spain*, p. 23.

Money	Pettigrew	Smith	Turner
Murphy	Rawkins	Tillman	Vest
Pasco	Roach	Turley	

Total 27

ABSENT AND PAIRED

Messrs. Cannon and Wilson, for, with Mr. White, against, and Messrs. Proctor and Wetmore, for, with Mr. Turpie, against.

So the title — such as it was — of the United States to the Philippines was completed. American annexation became an accomplished fact. There are differences of opinion as to whether Mr. Bryan's influence did change some Democratic votes. Senator Hoar was positive that it did, while Mr. Erving Winslow, of the Anti-Imperialist League, believes that what changed the deciding votes was the outbreak in Manila two days before.

Immediately after the ratification the opponents of colonization endeavored to press for action the series of resolutions that had been presented before the ratification. It was agreed to take up first the resolution introduced by Mr. McEnery, which was as follows:

Resolved by the Senate and House of Representatives, etc. That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an

integral part of the territory of the United States. But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

This resolution was not by any means satisfactory to the opponents of colonialism. It did not promise independence and was very vague as to the final disposition of the Islands. Senator Bacon thereupon offered the following amendment:

Resolved, further, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent Government shall have been erected therein, entitled in the judgment of the Government of the United States to recognition as such, to transfer to said Government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the Islands to their people.

Here was the issue, plainly put, whether the Philippines were to be ultimately independent or not. Unfortunately the Filipino-American War had started and this afforded a reason for refraining to announce any definite policy. "We will not tell

the Filipinos what we propose to do with them, until they lay down their arms," was the argument now advanced by the advocates of Philippine retention. In vain did that gallant defender of Filipino rights, Senator Hoar, in reply to such arguments, thunder in the Senate:

> Was it ever heard before that a civilized, human, and Christian nation made war upon a people and refused to tell them what they wanted of them? You refuse to tell these people this year or next year or perhaps for twenty years, whether you mean in the end to deprive them of their independence or no. You say you want them to submit. To submit to what? To mere military force? But for what purpose or for what end is that military force to be exerted? You decline to tell them. Not only you decline to say what you want of them, except bare and abject surrender, but you will not even let them tell you what they ask of you.

The vote on the Bacon Amendment was a tie, and Vice-President Hobart defeated it with his deciding vote, the original McEnery resolution being finally adopted. The House, however, failed to act on it, and so it died a premature death.

Thus the Filipinos were again left at sea as to their ultimate and definite political status.[5]

[5] "One vote, more than once, would have saved the country from what I think is its wretched policy in regard to the Philippine Islands. There was just one vote to spare when the Spanish treaty was ratified. One senator waited before voting until the roll-call was over and the list of the votes

read by the clerk, before he finally voted for the treaty. He said he did not wish to butt his head against the sentiment of his State if he could do no good; but if his vote would defeat it, he should vote against it. If there had been one less vote, his vote would have defeated it. The treaty would have been lost, in my opinion, if Senator Gray, one of the commissioners who made it, who earnestly protested against it, but afterwards supported it, had not been a member of the commission. The resolution of Mr. Bacon, declaring our purpose to recognize the independence of the Philippine people, if they desired it, was lost by a single vote. The Philippine treaty would have been lost but for Mr. Bryan's interposition in its behalf. It would have been defeated, in my judgment, if Speaker Reed, a man second in influence and in power in this country to President McKinley alone, had seen it to be his duty to remain in public life, and lead the fight against it." — Hoar, *Autobiography of Seventy Years*, Vol. II, p. 110.

CHAPTER IV

THE PROTEST OF THE FILIPINOS

SOON after the establishment of the Philippine Revolutionary Government at Malolos under the presidency of General Aguinaldo, a commission was appointed to work abroad for the recognition by the other nations of the Philippine Republic. This commission was composed of Felipe Agoncillo, president; General Emilio Riego de Dios, vice-president; Gregorio Araneta, secretary; Benito Legarda, Juan Luna, José Lozada, Pedro P. Roxas, Antonio Regidor, Felix Roxas, and José Albert, members.

Mr. Agoncillo proceeded at once to Paris to represent the interests of the Filipinos before the treaty conference; but the peace commissioners refused to see him. As we have seen in the foregoing chapters, the American commissioners acted more in the capacity of business agents of the Washington Government with the mission of securing the best terms for the United States. The interests of the Filipino people did not enter into their minds at

all. Upon the signing of the treaty, Mr. Agoncillo entered a formal protest, but to no avail. He thereupon set out for Washington to see if some understanding could be had with the American Government. Upon reaching Washington, he secured the legal services of Attorney Jackson H. Ralston, an able attorney of the city.

On January 5, 1899, Mr. Agoncillo's secretary, Mr. Sixto Lopez, addressed a letter to the Secretary of State requesting that Mr. Agoncillo be accorded the privilege of an audience with him to arrange for the presentation to the President of the envoy's letters of credentials, and suggesting the advisability of an understanding between the respective nations. Inclosed in the letter was a memorandum on the Philippine Republic. In reply to this, not even a letter of acknowledgment was received, and on January 11, another letter was sent to the Secretary of State, this time signed by Mr. Agoncillo himself. "In view of the present status of affairs in the Philippine Islands," wrote Mr. Agoncillo, "and the fact that in the present strained position, the impetuous action of a Filipino or the overzeal of an American soldier, acts based on the impulse of the moment, may create a condition resulting in grievous loss of life, as well as a memory that both nations might carry with

them for years, I again urge upon you the necessity of early and frank communication between the representatives of the countries in question." No answer having been received to this letter and trouble between Filipinos and Americans looming ever larger and larger in Manila, Mr. Agoncillo again, on January 24, addressed a communication to the Secretary of State confirming his earlier fear that the amassing of American troops in the Islands while no understanding was reached between the two Governments was fast creating an actual condition of war. Mr. Agoncillo's letters were entirely ignored. The newspapers even had it that no such communications were ever received in the state department. On January 30, a memorial was sent to the Secretary of State with the request that it be presented to the Senate of the United States, the fight as to the treaty being then at its height in the Senate. This document was perhaps the most interesting of all the state papers issued by the Filipino junta on behalf of the Filipino people. It sets forth the history of the relations between the Americans and Filipinos and the grounds upon which the Philippine Republic based its claim for recognition. In order to know the exact position of the Filipino people, a close perusal of it is necessary. It is as follows:

MEMORIAL TO THE SENATE OF THE UNITED STATES ACCOMPANYING LETTER TO THE SECRETARY OF STATE OF DATE JANUARY 30, 1899

The interest of my country requires, because of the pendency of the peace treaty before your honorable body, that I present to you some considerations bearing upon the relations between the United States and the Philippine Islands.

It would be impertinent in me, and I shall not attempt, to make any suggestions relative to the treatment of the documents in question. At the same time, I must be understood as protesting as the representative of the independent Philippine Republic that the United States has no jurisdiction, natural or acquired, through any of its agencies to adjudicate in any manner upon the rights of my country and people. The fact remains, however, that action is contemplated, which, we are informed, is proposed, if deemed necessary, to be the basis of military operations against the latest addition to the republics of the world, such action being, as I shall herein point out, without foundation in justice.

Lest it may be thought in addressing you, I am exceeding the just rights of those whom I have the honor to represent, I may be pardoned for calling your attention to the fact that the Constitution of the United States provides in substance that no person, howsoever humble he may be, shall be deprived of his life, liberty, or property, except by due process of law — meaning after the preferment of charges, their careful examination by a tribunal competent, and of acknowledged authority to deal therewith, and at a trial where the ac-

cused or defendant may be present in person or by attorney. This constitutional declaration is not the origin, but the expression of a principle — a right inherent in the nature of things — and which receives no added moral sanctity because of its recognition in written papers, and is of no less application because circumstances require it to be called into play by a nation seeking the recognition of its independence.

I cannot believe that in any possible action on the part of the American republic towards my country there is an intent to ignore, as to the ten millions of human beings I represent, the right the free government of America preserves to the lowliest of her inhabitants; but rather prefer to think that in the rush of arms this right for a moment may have been obscured in the minds of some of America's liberty-loving and enlightened citizens.

My justification for addressing you is that I am solicitous, lest by any inadvertence or omission of my own, a specious foundation may be laid, by virtue of which the rights of my countrymen may be jeopardized and injuries inflicted upon them, redounding hereafter, with added force, against the well-being of America.

In presenting the considerations I desire now to submit, it seems necessary for me first to refer to the historical fact that a large number of my countrymen have never been subdued by Spanish power, and, as against their liberties, the oppressive arm of Spain has never been able to sustain itself; that the remainder, because of their adhesion to the cause of liberty, have been in almost constant insurrection against the Government of

Spain; these conflicts existing continuously with greater or less fury for the past hundred years.

The impression has been created in America that at the time of the declaration of war between America and Spain, the Philippine revolution no longer existed. Upon this point I may not appeal to the authority of my countrymen for contradiction, but prefer to invite your attention to a letter written by Mr. Williams, United States consul-general at Manila, under date of March 28, 1898:

"Rebellion never more threatening to Spain. Rebels getting arms, money, and friends and they outnumber the Spaniards, resident and soldiery, probably a hundred to one."

Again on March 31, 1898, he wrote referring to the then condition of the conflict:

"The British shipmaster there (at Cape Bolinao) at the time reports about forty killed and forty wounded. After surrender, the Spanish put the dead and wounded together in a house and by burning cremated all."

Under the same date he writes of the desertion of an entire regiment of the Spanish forces to the insurgents, saying further:

"Now five thousand armed rebels, which for days have been in camp near Manila and have been reinforced from the mountains, plan to attack the city to-night. All is excitement and life uncertain."

On April 28, 1898, Mr. Pratt wrote a letter to Mr. Day in which he speaks of "learning from General Aguinaldo the state and object sought to be obtained by the present insurrectionary movement, which, though absent from the Philippines, he was still directing."

Without additional authority, it must be evident to your honorable body that an extensive revolution existed in the Philippine Islands at the time of the declaration of war by America against Spain.

This revolutionary movement found at its head General Aguinaldo, now President of the Philippine Republic, of whom Mr. Pratt wrote Mr. Day: "General Aguinaldo impressed me as a man of intellectual ability, courage, and worthy of the confidence that had been placed in him," while again he said that "no close observer of what has transpired in the Philippines during the past four years could have failed to recognize that General Aguinaldo enjoyed, above all others, the confidence of the Philippine insurgents and the respect alike of the Spanish and foreigners in the Islands, all of which vouched for his justice and high sense of honor"; and Mr. Williams wrote Mr. Moore on July 18, 1898: "General Aguinaldo, Agoncillo, and Sandico are all men who would all be leaders in their separate departments in any country."

The purpose of the Filipino patriots in conducting this revolution was to secure the complete independence of their country, and in this effort they achieved the encouragement of the United States; and were never informed that the obtention and preservation of such independence would be regarded as a hostile act by America, and they never believed that their struggle in such a cause would lead to enormous aggregations of American armies and navies at their doors.

As early as May 20, 1898, Mr. Pratt inclosed to Mr. Day the manifesto of the Filipinos; beginning as follows:

"Compatriots: Divine Providence is about to place independence within our reach, and in a way a free and independent nation could hardly wish for."

Had the United States declared or intended that the victory of the Filipinos when gained, should, like Dead Sea fruit, turn to ashes in their grasp? Surely at this moment America ought not to have been reticent.

Later, and on June 10, 1898, General Aguinaldo appealed directly to President McKinley, his letter having been forwarded under date of July 8, urging that the United States should make no endeavor to deliver the possession of the Philippines to England, but leave his country "free and independent, even if you make peace with Spain."

Again General Aguinaldo was not informed that it was the purpose of America, if possible, to purchase the Philippine Islands from an expelled tyrant without consulting the wishes of the inhabitants, who had established and were maintaining successfully a government satisfactory to them.

On June 8, 1898, and before the declaration of independence of the Filipinos, the Filipinos of Singapore presented an address to Mr. Pratt, the American consul, in which they said:

"Our countrymen at home and those of us residing here — refugees from Spanish misrule and tyranny in our beloved native land — hope that the United States, your nation, persevering in its humane policy, will efficaciously second the program arranged between you, sir, and General Aguinaldo in this port of Singapore, and secure to us our independence under the protection of the United States."

Consul Pratt did not dissent from this understanding of his compact with General Aguinaldo. The state department was informed of this affair before July 20, 1898, and directed caution on the part of Mr. Pratt, but did not disavow his action to the parties most concerned, permitting them to continue to believe, as they had already an ample reason for believing, that the result of their struggle would be the independence of their native land.

In addition to the facts already enumerated, for the period of four months in and out of the harbor of Manila, vessels passed floating the flag of the Philippine Republic, saluting and being saluted by American men-of-war, and these acts continued, without let or hindrance until the month of October, 1898.

I have taken occasion in a communication to the Secretary of State to point out that by the rule of international law, maintained without exception by the American Government, the Philippine Republic has been for many months entitled to national recognition, possessing, as it has, since June 18, 1898, a government both *de facto* and *de jure,* capable of enforcing its laws at home, or carrying out its undertakings with foreign Governments, and of maintaining itself against Spain.

Before the appointment of the peace commissioners on September 12, 1898, American officials had fully recognized and had communicated to their Government the fact that it was no longer possible for Spain under any circumstances to regain possession of the Philippines; a point most essential to be considered in determining whether a new, independent nation should be recognized.

In a memorandum concerning the Philippine Islands, made August 27, 1898, by General F. V. Greene, he states:

"The Spanish Government is completely demoralized, and Spanish power is dead, beyond the possibility of resurrection. Spain would be unable to govern these islands if we surrender them."

Under date of August 29, Major J. F. Bell reported to General Merritt as follows:

"I have met no one cognizant of the conditions now existing in these islands and in Spain who believes that Spain can ever again bring the Philippine Islands under subjection to its Government."

From the foregoing, it must appear that the Philippine nation had achieved its independence free from any danger of losing it at the hands of the Spaniards, prior even to the signing of the protocol. This is shown by the *Executive Document No. 62,* now before the Senate, which document contains much testimony concerning the productive capacity of the Philippine Islands, and their mineral and agricultural wealth, but little evidence touching the probability of maintaining the American government in these islands irrespective of the desires of their people, and no direct testimony whatever as to the wishes of the people themselves, although it does contain evidence that the American Government had known from the beginning that the Filipinos were struggling for independence and with success, and including copies of the declaration of independence of the Philippine Republic and of the laws passed pursuant thereto, and showing that the Government knew that there was in existence a regularly organized and constituted re-

publican government controlling the Islands and having General Aguinaldo at its head.

I have already alluded to the fact that Spain had no power to deliver possession to the United States of the Philippine Islands, having been driven from these islands by the just wrath of their inhabitants; and by way of illustration of this point, I venture to file herewith a map of the Philippine Archipelago, designating the principal islands under the control of the respective nations, and showing that America is in actual possession at this time of one hundred and forty-three square miles of territory, with a population of three hundred thousand, while the Philippine Government is in possession and control of 167,845 square miles, with a population of 9,395,000, and only a few scattered garrisons are to be found in islands having an area of 51,693 square miles, with a population of 305,000. The figures as to the Spanish possession should be diminished, and those of the Philippine Government enlarged by virtue of the fact that the inhabitants of the islands where Spanish troops yet remain have practically confined such troops to the narrow quarters of their garrison towns.

Spain, therefore, having been driven away, as I have stated, and the inhabitants having established a government satisfactory to themselves and maintaining order throughout the territories under its control, what justification can any other nation advance for interfering with my country or refusing to extend toward it the obligations of international law? Could Spain give to any nation a better right than she possessed? She could not confer possession, for she did not enjoy it, and any

foreign right of possession claimed by her had been extinguished by the destruction of her sovereignty over my country. She could not create by treaty or otherwise, as against the Philippine Islands, any right, except it be the right to conquer them, and if such right be claimed, it exists not because of cession on the part of Spain, but because of its own inherent force, and must be as powerful on behalf of any other nation as it is on behalf of the United States. If, therefore, America claims the right to make war upon my countrymen for the purpose of conquering them, and thus destroying another republic, so equally may Germany, France, and England, or any other powerful nation, claim the same right.

It may be said that the United States has purchased from Spain by treaty "all the buildings, wharves, barracks, forts, structures, public highways, and other immovable property, which in conformity with law belong to the crown of Spain." But it was not possible for Spain to yield any right as to property of this nature as against the Government of the Philippine Islands, for by all authorities upon the subject of international law, public property goes to the captor of the country, and may not be transferred by an expelled nation to a foreign government against the right of the nation which has gained possession of the country by conquest. It, therefore, follows that the public buildings, etc., recited as ceded by Spain to the United States could not have been so ceded but of right and by international law belong to the successor of the Spanish power in the Philippines; that is to say, to the Philippine Government representing the independent people of these islands.

In the further discussion of the question whether the American Government could acquire any right in the Philippines from Spain by treaty, I am fortunately able to invite your attention to several notable and exact American precedents, and I could ask for my country no better fortune than to have the republic of America, as at present constituted, adhere to the teachings of international law as laid down by some of its founders, to whom we appeal with the utmost confidence.

When it becomes necessary, as it did in 1792, for the American Government to appoint commissioners to negotiate a treaty with the court of Spain, Mr. Thomas Jefferson, under date of March 18, 1792, among other things wrote as follows:

" Spain was expressly bound to have delivered up the possession she had taken within the limits of Georgia (during the Revolutionary War as an ally of the United States) to Great Britain, if they were conquests on Great Britain, who was to deliver them over to the United States; or rather, she should have delivered them to the United States themselves, as standing *quoad hoc* in the place of Great Britain. And she was bound by natural right to deliver them to the same United States on a much stronger ground, as the real and only proprietors of those places which she had taken possession of in a moment of danger, without having had any cause of war with the United States, to whom they belonged, and without having declared any; but, on the contrary, conducting herself in other respects as a friend and associate. Vattel, 1, 3, 122. . . . It is still more palpable that a war existing between two nations as Spain and Great Britain, could give to neither the right to seize and

appropriate the territory of a third, which is even neutral, much less which is an associate in the war, as the United States were with Spain," citing Grotius, Puffendorf, and Vattel.

Again Mr. Pinckney, on August 10, 1795, wrote to the Duke of Alcudia among other matters as follows:

" But it has been said (referring to the contention of Spain that she was entitled to retain territory within the limits of the United States, the possession of which was obtained by her during the war against Great Britain) that Spain had pretensions for passing the limits above mentioned by the right of conquest, her troops having, during the war, seized a certain portion of territory beyond that limit; but the answer to this pretension is that the territory conquered must have belonged, before the war, either to the United States or to Great Britain. If it belonged to the United States, it is very clear that Spain could have no right to make conquests on a nation with whom she was not at war, and I will not, for a single moment, admit an idea so disrespectful to Spain as to imagine that she could pretend to be the friend of the United States; to have succored them in the war; to have even lent them money for maintaining it, at the same time she was depriving them of their property."

As will be seen on a careful examination of the foregoing citations, the cases cited are to all intents parallel with that before us. Spain was, during the American Revolution, engaged in warfare with Great Britain, from which country the United States was seeking independence, as were the Filipinos in the recent war with Spain, and she had by her arms obtained possession of portions of the United States. Her right to them was

denied successfully by America. The only possible difference between the two cases is that in the first, possession was claimed by virtue of conquest, and as to the Philippines, the United States claims possession by virtue of cession from an expelled power; but whether the apparent title be based upon conquest or cession it is clearly shown by Mr. Jefferson and Mr. Pinckney that it is contrary to the law of nations for one nation engaged in a common cause with another to despoil its associate. Mr. Pinckney thought the idea of such a thing disrespectful to Spain, and was unable to imagine that she could pretend to be a friend of the United States and to have helped them while at the same time she was seeking to rob them of their property.

That the view taken by Mr. Jefferson and Mr. Pinckney was the correct view is shown by the decision of the Supreme Court of the United States in the case of Harcourt *vs.* Gailliard, 12 Wheaton, page 523:

"War," says the Supreme Court, "is a suit prosecuted by the sword and where the question to be decided is one of original claim to territory grants of soil made *flagrante bello* by the party that fails can only derive validity from treaty stipulation."

We have before us a case of a grant of territory undertaken to be made by Spain during the existence of a war between her and the Philippine Islands, such a grant as the Supreme Court of the United States under parallel circumstances stated could only derive validity by reason of treaty stipulation, meaning in the case before the Supreme Court, treaty stipulation between England and America, and meaning as to the present case treaty stipulations between the Philippine Islands and Spain.

I venture to summarize the foregoing as follows:

1. The United States, not having received from the inhabitants of the Philippine Islands authority to pass laws affecting them, its legislation as to their welfare, I respectfully submit, possesses no binding force as against my people.

2. American authorities herein cited demonstrate that the Philippine revolution was never more threatening than immediately before the breaking out of the Spanish-American War, five thousand revolutionists being encamped near Manila three weeks before the American declaration of war, this army acting (though he was personally absent) under the direction of General Aguinaldo, in whom the consular representatives of the United States reposed the highest confidence.

3. The purpose of the revolution was independence, and understanding this, the United States encouraged the revolutionists to believe their desires would attain fruition. This is shown by citations from the archives of the state department and the incidents above related.

4. The Philippine Republic was entitled to receive from the United States recognition as an independent nation before the signing of the protocol with Spain, that Government knowing that Philippine independence had been proclaimed in June, a government *de facto* and *de jure* established, laws promulgated, and Spain's further domination impossible, being acquainted with all these facts immediately upon their happening, through documents and written reports submitted to it by its officers.

5. The American Government for months has had in

its possession, as herein shown, evidence of the actual independence of the Filipinos.

6. Spain could not deliver possession of the Philippines to the United States, being herself ousted by their people, and in fact at the present moment the United States holds only an entrenched camp, controlling one hundred and forty-three square miles, with 300,000 people, while the Philippine Republic represents the destinies of nearly 10,000,000 souls, scattered over an area approaching 200,000 square miles.

7. Spain having no possession (except minor garrison posts) and no right of possession in the Philippines, could confer no right to control them.

8. American purchase of public buildings, etc., in the Philippine Islands was ineffective, because the Islands, having been lost by Spain to the Philippine Republic, the last-named Government had already by conquest acquired public property.

9. Secretaries of state of your country (including Mr. Jefferson and Mr. Pinckney) have denied the right of an ally of America to acquire by conquest from Great Britain any American territory while America was struggling for independence. The United States Supreme Court has sustained this view. We deny similarly the right of the United States to acquire Philippine territory by cession from Spain while the Filipinos were yet at war with that power.

In concluding this communication with the expression of the earnest hope that the representations I have thus ventured to make to you will receive your grave consideration before you finally set upon the treaty that contains so much of consequence to my people, and if you

do this, as I cannot for a moment doubt you will in the spirit that has ever characterized your deliberations when discussing questions affecting the lives and liberties of individuals or of nations, I am assured that the just and high aspirations of my countrymen will receive the prompt recognition and approval of your honorable body.

Respectfully submitted,
(Sgd.) FELIPE AGONCILLO.

The prophecy contained in the correspondence of the Filipino representatives to the effect that trouble was sure to come in the Islands if an understanding were not reached between the two peoples was soon seen to be true, for on February 4, or five days after the sending of the memorial already cited, actual war was begun. The Filipinos were blamed for the hostilities, and this assured the ratification of the treaty. It happened that on the eve of the fatal fourth of February, Mr. Agoncillo, alarmed by the press attacks upon him and the statements that he was likely to be arrested, fled to Canada. Administration senators and congressmen took advantage of this coincidence to accuse him of having secretly urged the attack upon the American troops.

Hostilities having begun, Mr. Agoncillo's work as an envoy was ended. His secretary, Mr. Sixto Lopez, nevertheless remained in America and did

notable campaign work for Philippine independence.

It was often asked why, seeing that victory over American arms was impossible, the Filipinos persisted in their desperate struggle until the very last. The brains of that "revolution" and the greatest character of that epoch, Apolinario Mabini, expressed the sentiments of his countrymen as follows:

The Filipinos realize that they cannot expect any victory over the American forces; they are fighting to show the American people that they are sufficiently intelligent to know their rights despite any pretense to hide these rights with able sophistry. They hope that this struggle will remind the American people of the struggle their forefathers waged against Great Britain for the emancipation of the colonies which are now free States of North America. Then the Americans occupied the position that the Filipinos now occupy. If the American cause of that time found supporters in France, the Filipinos expect to find friends of their cause in the American people themselves when the American people become convinced that this struggle is not based on race hatred but on the same principles sealed with the blood of their forefathers. . . .

The Filipinos maintain their fight against the American troops, not because of an especial hatred, but in order to show to the American people that, far from being indifferent as to their political situation, they know how to sacrifice themselves for a government which as-

sures them their individual liberty and which governs them in conformity with the wishes and the needs of the people. They have been unable to avoid that fight, owing to the fact that they have been unable to obtain from the American Government any kind of formal and clear promise regarding the establishment of such a kind of government.

Mabini further proposed the following plan for the cessation of hostilities:

The present condition and state of war deprives the people of the chance to manifest freely their aspirations; therefore the Filipinos desire most ardently that the Congress of the United States provide for some means to listen to them before adopting a resolution that would mean a definite decision regarding their future.

To bring that about, the Filipinos request the Congress that it nominate either an American commission, which would have to find ways and means to meet such Filipinos who enjoy a positive influence both with the peaceful part and with that part of the nation, which is now in arms, or that it call for a commission composed of such Filipinos, in order to be informed by them directly as to the wishes and needs of the people.

In order to provide a possibility of receiving a complete information of this sort and in order that the work of the Commission, whichever may be its composition, have for a final result the establishment of peace, it is requested that the American army of occupation do not interfere with the free and unhampered manifestation of the opinion of the people in either the press or in peaceful meetings; that the same suspend for the time

being their attacks on the Filipino posts, while, of course, also the latter would bind themselves not to undertake anything whatever against the American troops, and, further, that the commissioners be given the greatest liberty to communicate with the revolutionists.

In view of the obvious success of the American arms, even the least rational Filipino cannot help admitting that all concessions of the class would mean nothing else but an act of liberality on the side of the North American people, which appears to me to be one additional reason why the Congress should show benevolence and indulgence.

I confidently hope that when the Americans and Filipinos have come to know each other better not only the present conflict will come to an end, but that also any future ones will be avoided. The opinion prevailing among the impartial part of the American nation appears to tend toward adhering to its old traditions and the spirit of justice and humanity, which constitute at the present time the sole hope of all upright Filipinos.

CHAPTER V

PRESIDENT MC KINLEY'S INSTRUCTIONS

ONCE convinced that the American people desired to hold the Philippines, President McKinley decided to extend American sovereignty over the Islands at the earliest possible moment and even before he had any legal right to claim that sovereignty. He completely ignored, as we have just seen, what the Filipino people might say on this question. He refused to tell them what he proposed as their ultimate political status. Six weeks before the treaty was ever ratified he had already taken the position that the Philippines were a part of the United States. "With the signature of the treaty of peace," he said in his proclamation of December 21, 1898, sent to the Filipino people, "the future control, disposition, and government of the Philippine Islands are ceded to the United States." In the same proclamation he instructed the military authorities to extend by force American sovereignty over the Philippines. He thus virtually took in his own hands the treaty-

making power of the United States; for before the ratification of the treaty of peace by the Senate, the legal status of the Philippines was determined only by the protocol of August 12, 1898, which read thus: "The United States will occupy and hold the city, bay, and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines." The treaty was not yet concluded, its ratification being pending in the Senate, but the President was already claiming sovereignty over the Philippines. He did not take into consideration that the Senate of the United States could, if it chose, reject the entire treaty and thus renounce sovereignty over the Philippines.

But leaving aside the constitutionality of the proclamation — its ratification having been subsequently effected — the points that should interest us most in this document are those which referred to the policy he planned to pursue toward the Philippines. "In performing this duty," he said, "the military commander of the United States is enjoined to make known to the inhabitants of the Philippine Islands that in succeeding to the sovereignty of Spain, in severing the former political relations, and in establishing a new political power, the authority of the United States is to be exerted for the securing of the persons and prop-

erty of the people of the Islands and for the confirmation of all their private rights and relations. It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that we come not as invaders or conquerors, but as friends, to protect the natives in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, cooperate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its support and protection. All others will be brought within the lawful rule we have assumed, with firmness if need be, but without severity, so far as possible." . . .

"Finally, it should be the earnest wish and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of benevolent assimilation, substituting the mild sway of justice and right for arbitrary rule."

From this document, despite its sugar-coated promises and its beguiling phrases, the Filipino people learned in an unmistakable manner that

they were to be deprived of the boon for which they were fighting — independence. They realized what they had never for a moment dreamed in the beginning, that their bloody struggle had brought them only a change of masters; and, what was more, that these new masters were their former allies against Spain. True it is that in the manifesto they were promised individual rights and protection of rights to property, but these promises implied not inherent rights, but mere grants from an absolute sovereign. According to Prof. A. H. Tolman of Chicago, "this manifesto takes not the slightest notice of any rights on the part of the people of these islands except what we are graciously pleased to grant them; it contains no recognition of their long struggle against Spain, their arduous struggle for liberty, no recognition of their long sufferings under her rule, no acknowledgment of their fitness for self-government, no expression of our desire or even of our willingness that they should govern themselves. Mr. McKinley simply promises to the Filipinos protection 'in their personal and religious rights' and a 'full measure of individual rights and liberties.' Nothing is said about those political rights for which our ancestors fought as these people are now fighting. There is not one word in this document, not one, which says or suggests that Filipinos will be permitted

to have self-government at any time, either soon or late, either as a right or as a privilege."

When General Otis, the commander of the American forces in Manila, received this manifesto, he was at a loss what to do, as he knew that its publication would only enrage the Filipino people and widen the gap between them and the Americans. "After fully considering the President's proclamation," General Otis explained, "and the temper of the Tagalos with whom I was daily discussing political problems and the friendly intentions of the United States Government towards them, I concluded that there were certain words and expressions therein such as 'sovereignty,' 'right of cession,' and those which directed immediate occupation, etc., though most admirably employed, and tersely expressive of actual conditions, might be advantageously used by the Tagalo war party to incite widespread hostilities among the natives. The ignorant classes have been taught to believe that certain words as 'sovereignty,' 'protection,' etc., had a peculiar meaning disastrous to their welfare and significant of future political domination, like that from which they had recently been freed." In view of these considerations, he felt justified in amending the manifesto so that the ideas of "sovereignty" and "right of cession" might be as little suggested as possible. The au-

thentic text of the manifesto, however, was published in Iloilo. It is now acknowledged by most writers that this manifesto precipitated the Filipino-American War.

Not content with this manifesto, "in order to facilitate the most humane, pacific, and effective extension of authority throughout the Islands and to secure, with the least possible delay, the benefits of a wise and generous protection of life and property," [1] President McKinley sent the first American Commission composed of Jacob G. Schurman, Rear-Admiral George Dewey, Major General Elwell S. Otis, Charles Denby, and Dean C. Worcester. The commissioners were instructed to exercise in all their relations with the inhabitants of the Philippines "due respect for all the ideals, customs, and institutions of the tribes which composed the population, emphasizing upon all occasions the just and beneficent intentions of the Government of the United States." [2] They were to be the "bearers of the good-will, the protection, and the richest blessings of a liberating rather than a conquering nation." The other duty of this commission, besides the expression of America's good-will, was to investigate and report back the

[1] From President McKinley's instructions to the Schurman Commission.

[2] *Ibid.*

social and political conditions of the Philippines and to recommend the form of government that should be established there.

These instructions, like the former proclamation, failed to mention or even intimate what was the ultimate purpose of the American people in retaining the Philippines, whether in the end they were to be independent or to be forever dependencies of the United States. When the Commission reached Manila on March 4, 1899, hostilities had begun. The members opened peace negotiations with the insurgents, but, failing of results, they proceeded to gather data for their report to the President.

The ratification of the treaty of Paris legalized President McKinley's claims of sovereignty. However, the question was at once raised as to what was the real import of the treaty and what specific powers the United States thereby gained over the Islands.

"I assume," said Secretary of War Root . . . "that the United States has all the powers in respect of a territory it has thus acquired, and the inhabitants of that territory, which any nation in the world has in respect of territory which it has acquired; that, as between the people of the ceded islands and the United States, the former are subject to the complete sovereignty of the latter, con-

trolled by no legal limitations except those which may be found in the treaty of cession; that the people of the Islands have no right to have them treated as States, or to have them treated as the territories previously held by the United States have been treated, or to assert a legal right under the provisions of the Constitution . . . or to assert against the United States any legal right whatever not found in the treaty." [3]

Those who innocently voted for the treaty, thinking that it would pave the way for the recognition of Philippine independence, now realized their mistake. Senator Hoar is authority for the statement that many of his colleagues who had favored the ratification regretted their votes more than any other act of their lives.[4] They were now convinced that the treaty committed the United States to a policy, the policy of indefinite retention, which denied the Filipinos any inherent right as a nation. As Senator Hoar has very well said, "The treaty pledged that the Philippine Islands should be governed by Congress. It undertook obligations which require for their fulfilment at least ten years' control of the Islands. It put the people of the Islands in the attitude of abandoning the republic they had formed, and of acknowledging not

[3] Report of the Secretary of War, Root, 1899, p. 24.
[4] Hoar, *Autobiography of Seventy Years*, Vol. II, p. 323.

only our supremacy but they were neither entitled nor fit to govern themselves or to carry on the war which had unfortunately broken out." [5] "The so-called treaty of peace," says Edwin Burritt Smith, "thus becomes the Magna Charta, the Bill of Rights, and the Constitution of the ten millions of civilized human beings who are natives of the Spanish Islands. What rights, wrung for them from unwilling Spain, are by this precious modern charter of liberty guaranteed to them? These are few and simple, as follows:

"'The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.'

"'The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.'

"It is also declared that the relinquishment or cession of Spanish sovereignty cannot impair the property or rights pertaining thereto 'of provinces, municipalities, public or private establishments, ecclesiastical or civil bodies, or any other associations having legal capacity to acquire and possess property . . . or of private individuals.'

"Thus in a dozen lines of a treaty, made as we are assured in their interest though without their

[5] Hoar, *Ibid.*, Vol. II, p. 323.

consent, the natives of the Spanish Islands may find all their legal rights set forth. Not only so, but in the same lines they may also find the claims of a state church to much of the desirable property of their islands carefully preserved and protected. This shows great progress in the power of condensed statement. By comparison, what a waste of words appears in our Magna Charta, Declaration of Independence, Bill of Rights, and Constitutions! We need not wonder, as we stand with uncovered head in the presence of this final charter of liberty, that there are those among us who regard our musty and verbose charters 'outgrown.'

"The simple terms and limitations of this precious document also bear concrete testimony to Mr. McKinley's faith in what he calls 'the wisdom of Congress.' In this he has also made a great advance over the suspicious framers of the Constitution. They feared and refused to commit the liberties of the three million people to the tender care of a Congress of their own choice and directly responsible to themselves. He neither fears nor hesitates to commit the liberties of ten million souls to the control of a Congress of another race in no way representative of, or responsible to, them. He says that he has every (undisclosed) reason to believe that his new wards share his own faith in the wisdom of Congress. . . .

"This 'treaty of peace,' or new charter of liberty, is of course to be interpreted in the light of Mr. McKinley's purpose of 'benevolent assimilation.' It is in this spirit that Mr. Root, in his annual report as Secretary of War, proceeds as follows:

"'The people of the ceded islands have acquired a moral right to be treated by the United States in accordance with the underlying principles of justice and freedom which we have declared in our Constitution, which are the essential safeguards of every individual against the powers of government, not because those provisions were enacted for them, but because they are essential limitations inherent in the very existence of American Government.'

"Thus it appears that, by reason of a treaty in the making of which they did not share, the Filipinos have acquired rights both legal and moral in character. Their rights of property and security in the exercise of religion are in some sense legal. Their civil rights and political status rest on moral sanctions. How thankful they should be, especially for the assurance of Secretary Root, that they have acquired a moral right to be treated by their alien masters 'in accordance with the underlying principles of justice and freedom.' It seems that but for this precious treaty they would be without even moral rights. Anybody can see that by vir-

tue of the treaty they have become entitled to 'such measure of liberty as Congress shall from time to time deem them fit to enjoy.' What more can an 'inferior race' ask of its masters? What matter if the liberty which comes without effort and as a benefaction to its recipients is a plant of slow growth? These people live in the tropics. Whoever heard of such people caring much for liberty? They may thank their lucky stars that they have been committed to the tender care of such good masters. If their chance of liberty is slight, what they get will cost them nothing, not even a thought. It ought also to be worth something to tropical islanders to be but one remove from Mr. McKinley's 'Providence of God.'" [6]

For two years after the ratification of the treaty (from February 6, 1899, to March 2, 1901) President McKinley, by virtue of his being the military commander-in-chief of the United States, was the absolute ruler of the Philippines. He had unlimited power. He could dispose of the lives and property of the inhabitants of the Philippines. It must, however, be said to the credit of President McKinley and of American governmental institutions, that real military power was allowed to be continued in the Philippines only so long as civil government was impracticable. His military

[6] Edwin Burritt Smith, *Republic or Empire*, pp. 18–21.

power included executive, judicial, and legislative authority. And in order to facilitate the establishment of civil government, on March 16, 1900, he appointed the second Philippine Commission vested with the power of exercising the legislative function and of establishing courts of justice, which would in turn be vested with judicial authority.[7] The military commanders were to continue exercising the executive function. To this commission he reaffirmed his purpose to insure an orderly and safe government for the Philippines. He was strongly against the exploitation of the Philippines. The only suggestion he made to Chairman Cooper, of the House Committee on Insular Affairs, upon the latter's assumption of that office, was that there should be no exploitation of the Islands.[8] He was for the rapid Filipinization of the service and was particularly desirous that the native customs and institutions and even prejudices be respected. "In all the forms of government and administrative provisions which they are authorized to prescribe," the instructions read, "the Commission should bear in mind that the government which they are establishing is designed not

[7] The second Philippine Commission was composed of Hon. William H. Taft, Prof. Dean C. Worcester, Hon. Luke E. Wright, Hon. Henry C. Ide, and Prof. Bernard Moses. See Appendix B for complete instructions to this commission.

[8] From Mr. Cooper's speech before a Rizal Day dinner, Washington, D. C., December 30, 1914.

for our satisfaction, or for the expression of our theoretical views, but for the happiness, peace, and prosperity of the people of the Philippine Islands, and the measures adopted should be made to conform to their customs, their habits, and even their prejudices, to the fullest extent consistent with the accomplishment of the indispensable requisites of just and effective government."

President McKinley's military authority over the Philippines terminated in 1901, with the passage by Congress of what is called the Spooner Amendment, which vested in him all civil and judicial powers necessary to govern the Philippines until a permanent form of government could be devised by Congress.

The immediate and complete establishment of civil government, however, was made impossible by the outbreak of the Filipino-American War. When news of the tragic event of February 4, 1899, reached the United States it was with the positive assurance from the newspapers that the Filipino soldiers were to blame for the outbreak, having treacherously fired the first shot. A storm of indignation arose from every corner of America. This charge was exploited by the jingoes and the advocates of retention. "We never dreamed," said President McKinley,[9] "that the little body of in-

[9] At Fargo, N. D., October 13, 1899.

surgents whom we have just emancipated from oppression — we never for a moment believed — that they would turn upon the flag that had sheltered them against Spain."

The opponents of the treaty became also the victims of this indignation, for it was urged that their determined opposition to the treaty was the greatest incentive to the Filipino insurgents to give trouble. The enemies of retention, on the other hand, charged that the imperialists were to blame. "The responsibility," replied Mr. Bryan, "rests, not upon those who oppose the treaty, but upon those who refused to disclose the nation's purpose and left the Filipinos to believe that their fight against Spain, instead of bringing them independence, has only brought them a change of masters. It was the desire to be independent that led the Filipinos to resist American authority, and their desire for independence was not inspired by any American opposition to the terms of the treaty." [10]

The importance of the native resistance has always been minimized before the American people. From the very beginning of the Philippine question, the retentionists endeavored to show that the majority of the Filipino people were on their side,

[10] From Mr. Bryan's speech before the Good Government Club, Ann Arbor, Mich., February 18, 1899.

for they dared not contradict the principle that wherever the American flag flies there the wishes of the majority must be respected. After all, every argument for the Filipino side is summed up in the principle expressed in the Declaration of Independence, that governments derive their just powers from the consent of the governed. Mr. McKinley was loudest in his assurance to his people that his manifestos and the forcible extension of American sovereignty were welcomed by the majority of the Filipino people. After nearly a year of constant fighting, when most American officials had confessed that they had undervalued the determination and tenacity of the Filipino insurgents and when he himself had already sent about 80,000 soldiers to the Islands, he still asserted that the majority of the Filipino people favored American rule. "I had reason to believe," he said in his message of December, 1899, "and I still believe that this transfer of sovereignty was in accordance with the wishes and the aspirations of the great masses of the Filipino people."

CHAPTER VI

IMPERIALISM AS THE "PARAMOUNT ISSUE"

EVERYTHING so far promised that the retention of the Philippines would be a chief issue in American politics. By securing the ratification of the treaty of peace and refusing to pass any resolution that would pledge "near" or ultimate independence, while at the same time insisting that they did not want to make the Filipinos citizens of the United States, the Republican party had plainly indicated that its policy towards the Islands was a policy of imperialism.

The Democrats, in general, welcomed the issue of imperialism and were willing to make it the main point in the coming presidential election of 1900. Among the Republicans themselves were a small but fervent group of opponents of President McKinley's Philippine policy. A most tenacious campaign against American colonialism was the one carried on by the Anti-Imperialist Leagues. The first Anti-Imperialist League was formed in Boston in 1898, "to oppose, as inconsistent with American ideals, the forcible extension of the sov-

ereignty of the United States over foreign people and in particular to work constantly for the early and complete independence of the Philippine Islands."

Within a year the league had become a national organization with about one hundred branches in the principal American cities, chief among which were New York, Philadelphia, Springfield, Chicago, Cincinnati, Washington, D. C., and Los Angeles. Among the foremost promoters of anti-imperialism were: George F. Hoar, Grover Cleveland, Samuel W. McCall, George S. Boutwell, George F. Edmunds, Wayne McVeagh, Andrew Carnegie, J. G. Schurman, Thomas Wentworth Higginson, Goldwin Smith, Edward Atkinson, Nelson A. Miles, W. D. Howells, F. B. Sanborn, Moorfield Storey, John F. Shafroth, Augustus O. Bacon, E. W. Carmack, Donelson Caffery, Jane Addams, Edwin Burritt Smith, Thomas Mott Osborne, Herbert Welsh, Davis Starr Jordan, Henry Wade Rogers, Charles A. Towne, George G. Mercer, Edwin D. Mead, James L. Slayden, Rufus B. Smith, W. J. Bryan, Champ Clark, George L. Wellington, B. R. Tillman, George Turner, R. F. Pettigrew, William E. Mason, John Sharp Williams, Robert L. Henry, W. A. Jones, John J. Lentz, Horatio C. Potter, Francis G. Newlands, Henry D. Green, T. M. Patterson, David A. DeArmond, Thomas W.

Hardwick, John A. Martin, Eugene F. Kinkead, J. Harry Covington, Erving Winslow, and Isidor Rayner.[1]

The campaign carried on by these men consisted in the making of speeches and the distribution of pamphlets, especially the latter. The anti-imperialist movement will be long remembered by the number and quality of pamphlets scattered all over the United States. Mr. Winslow thinks that fully 7,000,000 of them have been distributed. The Anti-Imperialist League sent investigators to study conditions in the Islands, and these brought back reports that have been of great use to the cause of Philippine independence. The league welcomed Filipino visitors to Boston and endeavored in every possible way to make the desires of the Filipino people known to the Americans. Mr. Sixto Lopez long carried on his work in America under the auspices of the Anti-Imperialist League.

A national conference of anti-imperialists was held in Chicago on October 17 and 18, 1899, presided over by Edwin Burritt Smith, with about 160 representatives from all over the country. Here the anti-imperialist movement was formed into a national organization, under the name of the American Anti-Imperialist League. A committee

[1] From *The Anti-Imperialist League* by Erving Winslow, "The Filipino People," September, 1912, Vol. I, No. 1.

headed by Carl Schurz prepared a declaration of principles, which was passed by acclamation, which was, in part, as follows:

We hold that the policy known as imperialism is hostile to liberty and tends towards militarism, an evil from which it has been our glory to be free. We regret that it has become necessary in the land of Washington and Lincoln to reaffirm that all men, of whatever race or color, are entitled to life, liberty, and the pursuit of happiness. We maintain that governments derive their just powers from the consent of the governed. We insist that the subjugation of any people is "criminal aggression" and open disloyalty to the distinctive principles of our government. . . .

We demand the immediate cessation of the war against liberty, begun by Spain and continued by us. We urge that Congress be promptly convened to announce to the Filipinos our purpose to concede to them the independence for which they have so long fought and which of right is theirs. . . .

We propose to contribute to the defeat of any person or party that stands for the forcible subjugation of any people. We shall oppose for reëlection all those who, in the White House or in Congress, betray American liberty in pursuit of un-American ends. We still hope that both our great political parties will support and defend the Declaration of Independence in the closing campaign of the century.

We hold with Abraham Lincoln that: "No man is good enough to govern another without that other's consent. When the white man governs himself, that is self-

government; but when he governs himself and also governs another man, that is more than self-government — that is despotism. Our reliance is in the laws of liberty which God has planted in us. Our defense is in the spirit which prizes liberty as the heritage of all men in all lands everywhere. Those who deny freedom to others deserve it not for themselves, and under a just God cannot long retain it."

We cordially invite the coöperation of all men and women who remain loyal to the Declaration of Independence and the Constitution of the United States.

A great many things, good and bad, have been said of the anti-imperialists. In the course of their campaign they incurred the enmity and even hatred of many of their own countrymen for opposing the policy of the American Government in retaining the Islands. Traitors they were called when they dared raise a voice of sympathy for the struggling Filipinos. But there is one thing that they were never accused of, and that is personal interest. They are now a small but very sincere group of political idealists, fighting for the preservation of time-honored American political principles, without any hope of material gain for themselves. It is true that the anti-imperialist movement was not started purely out of love for the Philippines. It was formed to check the tide of imperialism which had started with the Spanish-American War and which, its leaders contended,

was a menace to American institutions and Government. Imperialism manifested itself in the seizure and retention of the Philippines by America, and therefore they endeavored to free the Islands as a means of keeping America from that danger. The Filipinos, too, believed that their country should be freed from America; so, what is more natural than that there should be an alliance, as it were, between these two groups of men fighting the same battle?

But while to escape from imperialism was the prime object of the anti-imperialists, it cannot be denied that many of them, after thus espousing the cause of a weak people struggling for freedom, acquired a sincere interest in their welfare and manifested righteous indignation at their forceful subjection by the American Government. Senator Daniel declared that many of his colleagues voted against the treaty of Paris simply because they were convinced that it was an injustice to the Filipino people. The foremost leader of that movement, the late Senator Hoar, whose reputation for uprightness and morality has never been excelled by that of any American statesman, was certainly inspired by the deepest sympathy for the struggles and privations of the Filipino people and by the most earnest solicitude for their fortunes, their liberty, and their happiness. During his declining

years, in reviewing the long and fruitful record of his distinguished public life, he looked back upon his efforts to arouse the conscience of his people and induce them to recognize the right of the people of the Philippines to self-government and independence as the proudest, noblest, and most sublime of his public endeavors. "I would rather have," he said in his *Autobiography of Seventy Years,* "the gratitude of the people of the Philippine Islands, amid their sorrow, and have it true that what I may say or do has brought a ray of hope into the gloomy caverns in which the oppressed people of Asia dwell, than to receive a ducal coronet from every monarch of Europe, or command the applause of listening senates and read my history in a nation's eyes."

The campaign of the anti-imperialists helped the Democrats in a large measure to bring the issue of imperialism to the front. Some Democrats, it is true, were favorable to expansion, but most members of the party welcomed the issue of imperialism and were willing to stake their fortunes on it in the coming presidential election.

The Republican national convention was the first to be held. It took place in Philadelphia on June 19–21, 1900. The dream of a vast Oriental commerce and an Asiatic market that would be developed through holding the Philippines as a

base had not yet faded from the minds of Republican leaders. The permanent chairman of the convention, Senator Lodge, very frankly said:

> We make no hypocritical pretense of being interested in the Philippines solely on account of others. While we regard the welfare of these people as a sacred trust, we regard the welfare of the American people first. We see our duty to ourselves as well as to others. We believe in trade expansion.

This spirit was manifested throughout the whole proceedings. There were also vague asseverations of American duties and responsibilities as a world power, but not the remotest suggestion as to when these duties and responsibilities would end. "Let faint hearts anoint their fears," declared Senator Beveridge, "with the thought that some day American administration and American duty there may end. But they never will end. England's occupation of Egypt was to be temporary; but events which are the commands of God are making it permanent. And now God has given us the Pacific empire for civilization." [2]

Most Republican leaders, however, were not quite sure that the American people as a whole were ready to accept such sentiments as these. Some of the Republicans themselves, while not so radical as to join the anti-imperialist group and at-

[2] Speech at Philadelphia, February 15, 1899.

tack the Administration's Philippine policy, were against permanent retention. In the House of Representatives, for instance, in February, 1899, several Republican congressmen, like Mr. Hepburn of Iowa, and Mr. Henderson, declared for temporary occupation only. These considerations probably induced the Republican convention to evade the issue of permanent or temporary retention, and simply to declare in its platform:

> Our authority could not be less than our responsibility, and wherever sovereign rights were extended it became the high duty of the Government to maintain its authority; to put down armed insurrection and to confer the blessings of liberty and civilization upon all the rescued people. The largest measure of self-government consistent with their welfare and our duties shall be secured to them by law.

But it should be noted that the Republicans did not need to declare for permanent domination in order to obtain it. A noncommittal policy leads necessarily to permanent annexation. The Philippines were unconditionally annexed to the United States by virtue of the treaty of peace, and in order that they might be permanently annexed, nothing was needed but a continuation of their present status as American territory. Henceforward the work of the retentionists would be purely of a negative character: to prevent any movement tend-

ing to alienate the possession of the Islands. The very platform connoted permanent ownership; it did not suggest any alienation. To the Republicans there was no such thing as a "Filipino-American War"; it was no war in any sense: it was only an "armed insurrection" against the legal authority of the United States, just as any insurrection might start in any other part of the Union.

We can view in another light the status of the Filipinos as set forth in the Republican platform, when we compare it with that of the Cubans. The Cubans were, from the very start, declared to be "free and independent"—a sovereign people; while the Filipinos were to remain subjects of the American people and were to be given only "the largest measure of self-government which shall be consistent with their welfare and our duties"—the duties of an absolute, sovereign power.

The Republican national convention nominated President McKinley without difficulty.

As for the Democrats, there was never a doubt as to who would be the nominee. Mr. Bryan had no rival. He was generally accepted as a fit spokesman of anti-imperialism. Some of the strong Republican and even Democratic anti-imperialists, however, were disgusted with his sup-

port of the Paris treaty, without which, they thought, its ratification would not have been possible. On this account Senator Hoar refused to support him for the Presidency. "He made it the law of this land," Senator Hoar said, "that the American Congress should dispose of that distinct, alien people, whether they liked it or not."

But besides his intervention in the ratification of the peace treaty, his ideas on coinage, the issue of 1896, lost him the support of many who would otherwise have opposed Mr. McKinley because of his Philippine policy. While a stanch anti-imperialist champion, Mr. Bryan still remained earnestly for the free coinage of silver. Prominent Democrats impressed upon him the necessity of renouncing the silver platform altogether, making imperialism the main issue of the campaign, and thus securing the full support of the gold Democrats and the anti-imperialist Republicans; but Mr. Byran would not agree to this plan.[3] This question was debated in the Committee on Resolutions of the Democratic convention, but it was finally agreed to respect Mr. Bryan's wishes.

Judging from the wild enthusiasm manifested in the Democratic convention over the anti-imperialism plank of the platform, the Democrats were

[3] Stanwood, *A History of the Presidency*, 1897, 1909, Vol. II, p. 57.

ready to dispute the Presidential merits on this single question. The platform declared:

We condemn and denounce the Philippine policy of the present Administration. It has embroiled the republic in an unnecessary war, sacrificed the lives of many of its noblest sons, and placed the United States, previously known and applauded throughout the world as the champion of freedom, in the false and un-American position of crushing with military force the efforts of our former allies to achieve liberty and self-government.

The Filipinos cannot be citizens without endangering our civilization; they cannot be subjects without imperiling our form of government; and as we are not willing to surrender our civilization or to convert the republic into an empire, we favor an immediate declaration of the nation's purpose to give to the Filipinos: —

1. A stable form of government.
2. Independence.
3. Protection from outside interference such as has been given for nearly a century to the republics of Central and South America.

The convention proclaimed imperialism as "the paramount issue of the campaign." At the same time it plainly stated that it took no backward step from the party's former position on other questions.

It would, however, appear that the Democratic policy toward the Philippines was not a "scuttle" policy, as it is often charged with being. Briefly, it desired to establish a protectorate over the Philip-

pines. In his letter of acceptance, Mr. Bryan explicitly promised that, if elected, he would immediately convene Congress to enact into law the platform promise of making a protectorate of the Philippines. "An American protectorate," he said, "gives to the nation protected the advantage of our strength, without making it the victim of our greed. For three quarters of a century the Monroe Doctrine has been a shield to neighboring republics and yet it has imposed no pecuniary burden upon us. After the Filipinos had aided us in the war against Spain, we could not honorably turn them over to their former masters; we would not leave them to be the victims of the ambitious designs of European nations, and since we do not desire to make them a part of us or to hold them as subjects, we propose the only alternative, namely, to give them independence and guard them against molestation from without."

This position of Mr. Bryan's was shared in substance by the late Senator Hoar, the most disinterested defender the Filipinos ever had in the Congress of the United States. This was his plan for the solution of the Philippine problem:

I would send General Wood or General Miles or Admiral Dewey to Luzon. I would have him gather about him a cabinet of the best men among the Filipinos who have the confidence of the people and desire nothing but

their welfare. In all provinces and municipalities where civil government is now established possessing the confidence of the people, I would consult with their rulers and representatives.

I would lend the aid of the army of the United States only to keep order. I would permit the people to make laws and to administer laws, subject to some supervision or inspection till the disturbed times are over and peace has settled down again upon that country, insuring the security of the people against avarice, ambition, or speculation. So soon as it seems that government can maintain itself peacefully and in order, I would by degrees withdraw the authority of the United States, making a treaty with them that we would protect them against the cupidity of any other nation and would lend our aid for a reasonable time to maintain order and law.

That this proposition was no mere child of a moment's inspiration and that further study of the question and years of experience convinced Mr. Hoar of the justice of such a measure, is shown by the fact that in his *Autobiography of Seventy Years,* written in an atmosphere free from political passion, the venerable senator said: "I believed then, and I believe now, that it was our duty to deliver them (the Philippines) from Spain, to protect them against her, or against the cupidity of any other nation until their people could have tried fully the experiment of self-government, in which I have little doubt they would have succeeded." [4]

[4] Hoar, *Autobiography,* Vol. II, p. 315.

To this proposal of a protectorate, President McKinley had a ready answer. "The American people are asked by our opponents," he said in his letter of acceptance of the Republican nomination, "to yield the sovereignty of the United States in the Philippines to a small fraction of the population, a *single tribe* out of eighty or more inhabiting the archipelago, a faction which wantonly attacked the American troops in Manila while in rightful possession under the protocol with Spain, awaiting the ratification of the treaty of peace by the Senate, and which has since been in active, open rebellion against the United States. We are asked to transfer our sovereignty to a small minority in the Islands without consulting the majority and to abandon the largest portion of the population, which has been loyal to us, to the cruelties of the guerrilla insurgent bands. More than this, we are asked to protect this minority in establishing a government, and to this end repress all opposition of the majority. We are required to set up a stable government in the interest of those who have assailed our sovereignty and fired upon our soldiers, and then maintain it at any cost or sacrifice against its enemies within and against those having ambitious designs from without."

While President McKinley was thus proclaiming to the American people that American sov-

ereignty was being joyfully received by the majority of the Filipinos, Mr. Roosevelt, the vice-presidential nominee, on the other hand, was drawing graphic pictures of Filipino civilization. "The reasoning which justifies our having made war against Sitting Bull," he said, "also justifies our having checked the outbreaks of Aguinaldo and his followers, directed, as they were, against Filipino and American alike. . . . To grant self-government to Luzon under Aguinaldo would be like granting self-government to an Apache reservation under some local chief." These words were not said on the mere spur of the moment at some political mass meeting. They are to be found *verbatim* in Mr. Roosevelt's carefully prepared letter of acceptance of his nomination as Vice-President. In his spectacular electoral campaign tours he made extensive use of these unjust misrepresentations of Filipino life and civilization, depicting in glowing colors and with much exaggeration the supposed similarity between Sitting Bull and Aguinaldo, between an Apache reservation and the home of the Filipino people.

But these were not by any means the only arguments employed by the Republicans in 1900. The imperialistic rallying cry was still attracting hearers. Visions of military glory and commercial advantage had not yet faded. Some still spiritedly

contended that American occupation of the Philippines was but the next logical step of American expansion. The Republican campaign book contained the following words of Senator Lodge:

All our vast growth and expansion have been due to the spirit of our race, and have been guided by the instinct of the American people, which in all great crises has proved wiser than any reasoning. This mighty movement westward, building up a nation and conquering a continent as it swept along, has not been the work of chance or accident. It was neither chance nor accident which brought us to the Pacific and which has now carried us across the great ocean even to the shores of Asia, to the very edge of the cradle of the Aryans, whence our far-distant ancestors started on the march which has since girdled the world.

Call up your own history as witness. It was not inevitable that we should take Louisiana. We could have remained shut up between the Mississippi and the Atlantic and allowed another people to build the great city where New Orleans stands. But it was inevitable, if we followed the true laws of our being, that we should be masters of the Mississippi and spread from its mouth to its source. It was not inevitable that the Union of States should endure. Had we so chosen we could have abandoned it, but if we had abandoned it we should have gone down to nothingness, a disintegrated chaos of petty republics. We determined that the Union should live, and then it was inevitable that it should come to what it is to-day. There was nothing inevitable about the Monroe Doctrine. We need never have asserted it,

need never have maintained it. Had we failed to do both, we should have had Europe established all about us; we should have been forced to become a nation of great standing armies; our growth and power would have been choked and stifled. But we have declared and upheld it. We have insisted that all the world should heed it, and it is one of the signs of the times that in The Hague convention we have obtained at last a formal recognition of it from all the nations of Europe. . . .

Like every great nation, we have come more than once in our history to where the road of fate divided. Thus far we have never failed to take the right path. Again are we come to the parting of the ways. Again a momentous choice is offered to us. Shall we hesitate and make, in coward fashion, what Dante calls "the great refusal"? Even now we can abandon the Monroe Doctrine, we can reject the Pacific, we can shut ourselves up between our oceans, as Switzerland is inclosed among her hills, and then it would be inevitable that we should sink out from among the great powers of the world and heap up riches that some stronger and bolder people, who do not fear their fate, might gather them. Or we may follow the true laws of our being, the laws in obedience to which we have come to be what we are, and then we shall stretch out into the Pacific; we shall stand in the front rank of the world powers; we shall give to our labor and our industry new and larger and better opportunities; we shall prosper ourselves; we shall benefit mankind. What we have done was inevitable because it was in accordance with the laws of our being as a nation, in the defiance and disregard of which lie ruin and retreat.[5]

[5] *The Battle of 1900* —"Issues and Platforms of all Parties," p. 191.

To this argument Mr. Bryan replied:

Our opponents, conscious of the weakness of their cause, seek to confuse imperialism with expansion, and have even dared to claim Jefferson as a supporter of their policy. Jefferson spoke so freely and used language with such precision that no one can be ignorant of his views. On one occasion he declared: "If there be one principle more deeply rooted than any other in the mind of every American, it is that we should have nothing to do with conquest." And again he said: "Conquest is not in our principles; it is inconsistent with our government."

The forcible annexation of territory to be governed by arbitrary power differs as much from the acquisition of territory to be built up into States as a monarchy differs from a democracy. The Democratic party does not oppose expansion when expansion enlarges the area of the republic and incorporates land which can be settled by American citizens, or adds to our population people who are willing to become citizens and are capable of discharging their duties as such.

The acquisition of the Louisiana territory, Florida, Texas, and other tracts which have been secured from time to time enlarged the republic and the Constitution followed the flag into the new territory. It is now proposed to seize upon distant territory more densely populated than our own country and to force upon the people a government for which there is no warrant in our Constitution or our laws.

All these brilliant presentations of the pros and cons of imperialism were made during the earlier

stage of the Presidential campaign. Later, as the contest raged with greater fury, Mr. Bryan was seen to be laying stress upon other questions. His firm position on these other issues during the convention had already alienated the support of many influential men who would otherwise have supported his anti-imperialist attitude, no matter how much they might personally have preferred Mr. McKinley. The injection into the campaign of questions other than imperialism doubtless decided many such men to throw their support to Mr. McKinley. The issues of the campaign were, therefore, confused. There are Americans who deny that "imperialism" was in effect the "paramount" issue. Many writers say that if Mr. Bryan had clung to the sole issue of imperialism, the American people, who at heart have always been anti-imperialist, would have supported him. The result of the election was, therefore, in no definite sense, the expression of a desire of the American people permanently to retain the Philippines.

But whatever difference of opinion there might be among Americans as to what the American people really meant to express when they placed the Republicans again in power, outside of America there was a unanimity of opinion that the result of the election meant the adoption by the United States of an imperialistic policy. "Let the para-

mount issue for Americans be what it might," said Goldwin Smith,[6] "for the world at large it was and is that between the commonwealth and empire. Shall the American republic be what it has hitherto been, follow its own destiny, and do what it can to fulfil the special hopes which humanity has founded on it; or shall it slide into an imitation of European imperialism, and be drawn, with the military powers of Europe, into a career of conquest and domination over subject races, with the political liabilities which such a career entails? This was and is the main issue for humanity. Seldom has a nation been brought so distinctly as the American nation now is to the parting of the ways. Never has a nation's choice been more important to mankind."

[6] Goldwin Smith, *Commonwealth or Empire*, p. 1.

CHAPTER VII

THE STRUGGLE OVER A LEGISLATIVE ASSEMBLY

THE opponents of Philippine retention were not dismayed at the result of the 1900 election. They took courage and continued their agitation, not only because they maintained, with reason, that the result of the election was not a categorical expression of the American people on the Philippine question, but also because they knew that all their work was not in vain.

The American people were now coming to the period of second sober thought. They were beginning to realize the tremendous responsibility they had assumed. America of 1898, drunk with Dewey's victory, dreaming of the imperial days when the vast oceans should be sprinkled with American colonies, was no longer the America of 1901 with millions of her money spent in the war of subjugation, and with 80,000 of her soldiers in the wilds of the Philippines engaged in daily skirmishes with insurrectos.[1]

[1] Mr. Bryce, in his *American Commonwealth*, p. 579, speaks of this stage of American imperialism as the "sudden imperialistic impulse of 1898–1900."

The powerful appeals of men of such unblemished political character as George F. Hoar, Carl Schurz, and many others, who were unwillingly forced to oppose the Philippine policy of their beloved party because they were convinced that their sense of justice and morality would not permit them to do otherwise, could not fail to impress many of their countrymen.

The following retrospect of the Philippine situation by Senator Hoar is worthy of a serious perusal, being one of the most illuminating presentations of the Philippine cause:

When Aguinaldo said he did not want the war to go on, and that it went on against his wish, he was told by our general that he would not parley with him without total submission. My friend from Wisconsin declared in the Senate that we would have no talk with men with arms in their hands, whether we were right or wrong. The responsibility of everything that has happened since, which he must have foreseen if he knew something of history and human nature, rests upon him and the men who acted with him.

We cannot get rid of this one fact, we cannot escape it, and we cannot flinch from it. You chose war instead of peace. You chose force instead of conciliation, with full notice that everything that has happened since would happen as a consequence of your decision. Had you made a declaration to Aguinaldo that you would respect their title to independence, and that all you desired was order and to fulfil the treaty and to protect

your friends, you would have disarmed that people in a moment. I believe there never has been a time since when a like declaration made by this chamber alone, but certainly made by this chamber and the other house, with the approval of the President, would not have ended this conflict and prevented all these horrors.

Instead of that, gentlemen talked of the wealth of the Philippine Islands, and about the advantage to our trade. They sought to dazzle our eyes with nuggets of other men's gold. Senators declared in the senate chamber and on the hustings that the flag never shall be hauled down in the Philippine Islands, and those of you who think otherwise kept silent and enter no disclaimer.

It would be without avail to repeat in the Senate to-day what was said at the time of the Spanish treaty, and afterwards when you determined to reduce the Philippine people by force to submission.

What your fathers said when they founded the republic; the Declarations of Independence; the great leaders of every generation; our century of glorious history, were appealed to in vain. Their lessons fell upon the ears of men dazzled by military glory and delirious with the lust of conquest. I will not repeat them now. My desire to-day is simply to call attention to the practical working of the two doctrines — the doctrine of buying sovereignty or conquering it in battle, and the doctrine of the Declaration of Independence. For the last three years you have put one of them in force in Cuba and the other in the Philippine Islands. I ask you to think soberly which method, on the whole, you like better. I ask you to compare the cost of war with the cost of peace, of justice with that of injustice, the cost of empire with

the cost of Republican liberty, the cost of the way of America and the cost of Europe, of the doctrine of the Declaration of Independence with the doctrine of the Holy Alliance. You have tried both, I hope, to your heart's content.

When we ratified the treaty of Paris we committed ourselves to one experiment in Cuba and another in the Philippines. We had said already that Cuba of right ought to be free and independent. So when in the treaty Spain abandoned her sovereignty the title of Cuba became at once complete. We were only to stay there to keep order until we could hand over Cuba to a government her people had chosen and established.

By the same treaty we bought the Philippine Islands for $20,000,000 and declared and agreed that Congress shall dispose of them. So, according to those who held the treaty valid, it became the duty of the President to reduce them to submission and of Congress to govern them.

Here the two doctrines are brought into sharp antagonism.

You have given both doctrines a three years' trial. Three years is sometimes a very long time and sometimes a very short time in human affairs. . . .

Three years has wrought a mighty change in Cuba, and it has wrought a mighty change in the Philippine Islands. We have had plenty of time to try both experiments.

Gentlemen talk about sentimentalities, about idealism. They like practical statesmanship better. But, Mr. President, this whole debate for the last four years has been a debate between two kinds of sentimentality. There has

been practical statesmanship in plenty on both sides. Your sides have carried their sentimentalities and ideals out in your practical statesmanship. The other have tried and begged to be allowed to carry theirs out in practical statesmanship also. . . .

You also, my imperialistic friends, have had your ideals and your sentimentalities. One is that the flag shall never be hauled down where it has once floated. Another is that you will not talk or reason with a people with arms in their hands. Another is that sovereignty over an unwilling people may be bought with gold. And another is that sovereignty may be got by force of arms, as the booty of battle or the spoils of victory.

What has been the practical statesmanship, which comes from your ideals and your sentimentalities? You have wasted six hundred millions of treasure. You have sacrificed nearly 10,000 American lives — the flower of our youth. You have devastated provinces. You have slain uncounted thousands of the people you desire to benefit. You have established reconcentration camps. Your generals are coming home from their harvest, bringing their sheaves with them, in the shape of other thousands of sick and wounded and insane to drag out miserable lives, wrecked in body and mind. You make the American flag in the eyes of a numerous people the emblem of sacrilege in Christian churches, and of the burning of human dwellings, and of the horror of the water torture. Your practical statesmanship, which disdains to take George Washington and Abraham Lincoln or the soldiers of the Revolution or of the Civil War as models, has looked in some cases to Spain for your ex-

ample. I believe — nay, I know — that in general our officers and soldiers are humane. But in some cases they have carried on your warfare with a mixture of American ingenuity and Castilian cruelty.

Your practical statesmanship has succeeded in converting a people who three years ago were ready to kiss the hem of the garment of the American and to welcome him as a liberator, who thronged after your men after they landed on those islands with benediction and gratitude, into sullen and irreconcilable enemies, possessed of a hatred which centuries cannot eradicate.

What have your ideals cost you, and what have they bought for you?

1. For the Philippine Islands you have had to repeal the Declaration of Independence.

For Cuba you had to reaffirm it and give it new luster.

2. For the Philippine Islands you have had to convert the Monroe Doctrine into a doctrine of mere selfishness.

For Cuba you acted on it and vindicated it.

3. In Cuba you have got the eternal gratitude of a free people.

In the Philippine Islands you have got the hatred and sullen submission of a subjugated people.

4. From Cuba you have brought home nothing but glory.

From the Philippine Islands you have brought home nothing of glory.

5. In Cuba no man thinks of counting the cost. The few soldiers who came home from Cuba wounded or sick carry about their wounds and their pale faces as if they were medals of honor. What soldier glories in a wound or an empty sleeve which he got in the Philippines?

6. The conflict in the Philippines has cost you $600,000,000, thousands of American soldiers — the flowers of your youth — the health and sanity of thousands more, and hundreds of thousands of Filipinos slain.

This war, if you call it war, has gone on for three years. It will go on in some form for three hundred years, unless this policy be abandoned. You will undoubtedly have times of peace and quiet, or pretended submission. You will buy men with titles or office, or salaries. You will intimidate cowards. You will get pretended and fawning submission. The land will smile and smile and seem at peace. But the volcano will be there. The lava will break out again. You can never settle this thing until you settle it right.[2]

Outside of America the agitation of the advocates of Philippine independence was also received with some attention. Subject peoples of other climes considered their noble utterances as the truer representatives of America's highest ideals. A Hindu scholar expressed himself as to one of Senator Hoar's speeches as follows:

The speech of Mr. Hoar, though an address to his own countrymen, is a message of hope to the whole world which sank with despondency at the sight of republican America behaving like a cruel, tyrannical, and rapacious empire in the Philippines, and particularly to the broken-hearted people of Asia who are beginning to lose all confidence in the humanity of the white races. Or is it that

[2] From the speech of Senator Hoar in the Senate on May 22, 1902, during the discussion of the Philippine Civil Government Bill.

they have lost it already? Hence all papers in Asia should reprint his speech, translate it, and distribute it broadcast. Let it be brought home to the Asiatic people so that they may work and worship their champion and his forefathers. Thanks to the awakening in America, thanks to the forces that are at work to chase out the degenerating, demoralizing passion for territorial aggrandizement from the noble American mind and save it for itself and for the world at large from the cancer of imperialism.[8]

Another disquieting phase of the situation from the standpoint of the imperialists was the unexpected length of the war. In spite of the monthly or yearly reports of American representatives in the Philippines that the situation in the Islands was improving every day, that the "insurrection" was to end at any minute, that the vast majority of the people favored American rule, that the struggle was being carried on only by "one of the eighty tribes," inspired by the "sinister ambition" of a leader, the war dragged on for more than three years, requiring the expenditure of millions of American money and the ultimate presence in the Islands of some 120,000 American soldiers. Every American general, when pressed for an opinion on the war, had to admit that the entire population was up against American sovereignty, that the "in-

[8] Japan "Times," June 17, 1902, quoted in Senator Hoar's *Autobiography*, p. 325.

surrection" was not the creation of the "sinister ambition" of a few leaders, but the united efforts of an entire people to achieve their country's freedom. General MacArthur himself had to confess that he had "been reluctantly compelled to believe that the Filipino masses are loyal to Aguinaldo and the Government which he heads."

Still another worry for the Administration was found in reports that now and then crept into the newspapers of the tortures practised by the American soldiers upon the natives to extort confessions as to the whereabouts of insurgents or their arms. These abominable practices were indulged in, in the phrase of Senator Hoar, with a mixture of "Castilian cruelty and American ingenuity." General Nelson A. Miles was so aroused by these cruelties that he applied to the Secretary of War that he be sent to the Philippines and be given the charge of Philippine affairs. This request of General Miles was the more interesting when we recall that he was the man most responsible for the bloodless annexation of Porto Rico and that he had also taken a prominent part in settling the Cuban problem. He was convinced that an entirely different policy was being pursued in the Philippines from that followed in Cuba or Porto Rico. He boldly asserted that the war of subjugation was being carried on in the Philippines "with marked sever-

ity." He therefore asked that he be allowed to proceed to the Philippines, taking with him ten men he would select from Cuba and Porto Rico "whose assistance has been found useful in promoting friendly relations between the people of those islands and the United States and who could properly explain to the Filipinos the benefits their people have derived through friendly relations with this country." Upon his return he also desired to bring back to Washington a number of Filipinos in order to afford an opportunity for a full consultation, whereby intelligent and definite action may be taken concerning their future destiny." As may be recalled, Mabini made an exactly indentical proposal for the cessation of hostilities. Such suggestions were agreeable to the Filipino people. It was — and is still — their desire that they be accorded the rights of a people, and, as such, that they be consulted as regards their future relations with America. Yet, as was to be expected, General Miles's proposal was refused. Secretary of War Root even administered to him a rebuke for his boldness in making such an offer, remarking that it was not within the bounds of "the propriety of a military officer to review the action of the President."

Pressed by the logic of circumstances and the changing mind of the American people, the im-

perialists were now seen to have softened in their representations of the objects of American occupation in the Philippines. Glory, power, and commerce were no longer invoked to any marked extent. American retention of the Philippines was now defended on an entirely different ground — philanthropy. America was in the Philippines to fulfil a noble mission, the mission of educating the Filipinos and preparing them for self-government. "It is a significant concession to public opinion," declared Senator Carmack, "that we no longer hear the argument of greed and avarice and the hunger for other men's possessions openly and defiantly proclaimed. I cannot help thinking that something has been yielded and something gained when the President of the United States no longer talks of seizing 'points of vantage' and no longer defends our Philippine venture by glorifying England's despotic rule over subject races and her bloody march to empire across the bodies and through the blood of slaughtered people. It may not signify any change of heart or of purpose, but it shows a realization of the fact that the public conscience is awake, and it shows that the authors of this policy begin to understand that they cannot justify 'criminal aggression' by pointing to the profits of the crime. It is a cheering sign that the second sober thought has come, that the better na-

ture of the American people is again in the ascendant, when the party responsible for a bucaneering war is compelled to veil the grossness of its designs." [4]

The coming of "America's second sober thought," this reaction against imperialism, brought also a change for the better in the Philippines. William H. Taft was sent to the Islands to establish civil government, and he found an intolerable situation there. The seed of greedy imperialism had found fertile soil among his countrymen who had preceded him. American merchants were convinced that the Philippines were theirs to get the most out of them. Military men found the Islands a stepping-stone to further glory and promotion. The wishes and aspirations of the Filipino people counted for naught. Any mention of independence was anathema. The greatest service Mr. Taft ever rendered the Filipino people was his struggle against these military men and merchants. He made them understand that Philippine exploitation would not be tolerated at home, and announced to them his ever famous motto, "The Philippines for the Filipinos." The whole American community rose up against him in this phase of his policy. American newspapers — controlled by the American interests, of course —

[4] Speech in the Senate, May 31, 1902.

spared no words in condemnation of his attitude. Replying to a vicious attack of an American paper, he said:

> There are many Americans in these islands, possibly a majority, and this includes all the American press, who are strongly opposed to the doctrine of "The Philippines for the Filipinos." They have no patience with the policy of attraction, no patience with the attempts to conciliate the Filipino people, no patience with the introduction into the government as rapidly as their fitness justifies of the prominent Filipinos. They resent everything in the government that is not American. They insist that there is a necessity for a firm government here rather than a popular one, and that the welfare of Americans and American trade should be regarded as paramount.

To gain popular favor for his policy of the "Philippines for the Filipinos," Mr. Taft and his associates in the Philippine Commission petitioned the Congress of the United States to grant the Filipino people a lower house of legislature so that, together with an appointive higher council, it might form the legislative branch of the Philippine Government. They also asked that the Philippines be allowed to elect two delegates to the Congress of the United States. This much Mr. Taft was willing to concede to the Filipino people.

The time was now drawing near when Congress must legislate for the Philippines. The President

had had a free hand in controlling the Philippine Government for nearly four years. The semi-military government established in the Islands was shortly to be changed into a purely civil form. To reinforce the petition of the Commission on the prospective legislation and to inform Congress of the conditions in the Philippines, Mr. Taft came to Washington. He appeared before the Insular Committee of the House and the Philippines Committee of the Senate and urged upon congressmen and senators the necessity of giving the Filipinos a lower house and two delegates in Congress. "We think that the Filipino people," he said, "would accept this provision as the most indubitable evidence of the desire of the United States that self-government should be given to the people in as large a measure as they are capable of carrying it on."

From the beginning, Mr. Taft found few sympathizers for this concession to the Filipinos among those Republican senators to whom the Administration looked for support on all Philippine matters. Senator Lodge, chairman of the Philippines Committee, was entirely against the legislative provision, and so were Senators Beveridge, Allison, Spooner, and others. In spite of Mr. Taft's plea as to the necessity of such a provision in order to win the sympathy of the Filipinos, they

were firm in contending that it was over-radical and fraught with evil for the Filipinos since the latter could have no conception of such institutions.

Fortunately, in the House of Representatives Mr. Taft found an ally in the chairman of the Insular Committee, Mr. H. A. Cooper of Wisconsin, but the Republican leaders of the House, like those of the Senate, were against it. Speaker Henderson was specially interested in eliminating from the bill provision for an assembly. In his own committee, Mr. Cooper had to contend with many strong Republicans who were also opposed to the legislative assembly provision. It was said at the time that the Insular was the strongest committee ever formed in the House, in reality a committee of chairmen of committees, a fact which showed how seriously the Republicans were then studying the Philippine situation. On the committee were Mr. J. G. Cannon, chairman of the Appropriations Committee, afterwards speaker; Mr. Payne, chairman of the Ways and Means Committee; Col. Peter Hepburn, chairman of the Committee on Interstate and Foreign Commerce; Mr. Loud of California, chairman of the Committee on the Post-offices and Post-roads; Mr. Hitt, chairman of the Committee on Foreign Affairs; Mr. Moody, later Mr. Justice Moody, of the United States Supreme Court; Mr. Crumpacker of Indiana; and Mr. Taw-

ney of Minnesota. On the Democratic side there were Mr. Jones of Virginia; Mr. J. S. Williams of Mississippi, now United States Senator; Mr. Maddox of Georgia, and others.

The House and Senate Philippine bills were introduced on the same day, January 7, 1902. There were material differences between the two. Mr. Cooper, in his bill, incorporated the main recommendations of Mr. Taft. The House Bill provided that after peace should have been declared and a census taken, a general election should be called for the selection of representatives to form a popular assembly. The measure also provided for the election by the Assembly and commission of two delegates to represent the Philippines in Washington. The Senate Bill did not provide either for an assembly or for delegates. Instead, it directed the Philippine Commission to recommend, after the taking of the census, the permanent form of civil government that it desired established in the Philippines.

The Senate was first to take action on the question. It passed its own bill practically as that measure was reported from the Committee on the Philippines. The Democratic minority of the Senate, supported by the Republican senators, Mr. Hoar and Mr. Wellington, then filed a substitute amendment in the form of a bill. This substitute

declared American sovereignty in the Islands to be temporary, and provided that, upon the cessation of the organized opposition to the "temporary sovereignty" of the United States, a convention should be called to elect a Senate and a House of Representatives to constitute a temporary Congress. This convention was to hold office for not more than four years. Section 8 of the bill dealt specifically with the duties of the convention and the definite withdrawal of American sovereignty as follows:

SEC. 8. That it shall be the duty of the Philippine Congress herein provided for to prescribe rules and regulations and qualifications for electors for the election and holding of a constitutional convention which shall be charged with the duty of framing a permanent government for the people of the Philippine Archipelago. Said constitutional convention shall be called to meet at such place and at such time, not later than the first Monday of January, 1905, as may be prescribed by said Philippine Congress. Upon the completion of the labors of said convention and the inauguration of the government consequent thereupon, it shall be the duty of the President of the United States to issue his proclamation declaring the *absolute and unqualified independence* of the people of the Philippine Archipelago and that they constitute an independent State and nation, and upon the issuance of said proclamation the United States Government and the Philippine Government shall become and be as fully separate and independent

as any other independent and separate nations are: *Provided,* however, that if the Philippine Government request it, the United States Government hereby agrees to assume a protectorate over the Philippine Archipelago for a period additional to the period of the temporary government herein provided for, said additional period of protectorate not to exceed, however, the period of sixteen years: *Provided, further,* That the said Philippine Government agree during the said period of additional protectorate to surrender to the keeping of the United States Government the regulation and control of the foreign affairs of the Philippine Archipelago.

Of course, this independence measure had no hope of passage.

When the Senate Republican Bill was sent to the House, a discussion ensued in the Committee on Insular Affairs whether to report it with certain amendments or to strike out all after the enacting clause and substitute the House Bill. Several Republicans were in favor of the first proposition, which, if followed, would mean the elimination of the legislative provision. Through the aid of the Democratic members the second proposition was adopted, and the House Bill substituted by way of amendment.

The House Democrats in their turn introduced a substitute bill providing for qualified independence from July 4, 1903, and for eight years afterwards, and for complete and absolute independence, with-

out any guarantee of the United States, after the close of the eight-year period of preparatory government. The necessity of developing a definite policy was again urged by the Democrats. They condemned the evasive "dodging" of the real issue by the Republicans. The imperialists, they contended, four years before, during the discussion of the Paris treaty in the Commission, would not make any declaration of purpose towards the Philippines because that would be giving "bonds to Spain" for their conduct on a matter which they alone and not Europe must decide. When after the ratification attempts were again made to declare some definite policy, the excuse was made that the American people should not promise anything until the Filipinos had laid down their arms. Now war was practically over in the Philippines and yet the Republicans persisted in a noncommittal policy, and the Civil Government Bill which they intended to pass was simply "an act *temporarily* to provide for the administration of the affairs of civil government in the Philippine Islands and for other purposes."

"The chief question involved," contended the minority report, signed by Mr. Jones of Virginia, Mr. Williams of Mississippi, now United States Senator, and others, "is whether under the guise of the forms of civil government, a policy unjust and cruel

to the people of the Philippine Islands, and injurious and dishonoring to American citizenship, shall be indefinitely, if not perpetually, continued, or that there shall be substituted in its stead a more righteous and humane policy, the intent and purpose of which is to confer upon that people, within the shortest practicable period, and upon certain reasonable and proper terms and concessions, an autonomous system of free self-government, based upon the principle of an independence, modified as to their foreign affairs, which modified independence, after the lapse of a reasonable period (affording that practical training and actual experience in the art of self-government so necessary to fit them for its ultimate exercise and full enjoyment), shall eventuate into an unqualified and absolute independence.

"Recognizing that three centuries of Spanish dominion have destroyed all self-government in the Philippine Islands, and that its people at this time are unprepared for its exercise, the theory upon which this substitute measure is framed is that there should be conferred upon them for a period of eight years the largest possible share in the government of themselves and in the conduct of their affairs consistent with our safety and best interests and our duty and obligations to the nations of the world, in order to fit them for that absolute

independence and self-government to which the minority believe them entitled."

When questioned as to why the Democrats, while professing to be for Philippine independence, admitted in their report that the Filipinos were not yet prepared for the exercise of self-government, Congressman Williams answered:

> Not unprepared mentally, not unprepared morally, not unprepared for their measure of self-government at the proper time, but having no civic institutions, having no civil government except ours — we having destroyed all other — we ought not to go away and "scuttle" over night, leaving them without police, without armies, without any conservators of the peace, without any governmental frame-work, within which civilization may work. For that reason the Minority Bill proposes a bridge government — to bridge over the interval from the present despotic control on our part to their full measure of self-government under a government to be adopted by them such as they see fit.
>
> A people may be unprepared for the *exercise* of self-government at a given time, because they have no institutions by means of which to exercise it. Why, sir, the State of Pennsylvania to-morrow, if it had not justices of the peace or governor or legislature or sheriff, or any other officers of any sort, would be left in chaos and anarchy. True, the people of Pennsylvania, with their high degree of civilization, would in three days, in every township, correct that state of affairs. They would form vigilance committees which would hold the lawless element down until they could organize some sort

of government. But for the time being there would be anarchy, and no *exercise* of self-government.

Yet the gentleman takes hold of that clause of our report and tries to say that we ourselves deny that those people are capable of self-government. Surely the gentleman must have seen the difference between the sentence as written—"three hundred years of Spanish oppression have destroyed self-government"—and the sentence as he would have you understand it—"three hundred years of Spanish oppression have destroyed the capacity of self-government."

The Democrats, however, knew that efforts to pass their bill must necessarily be fruitless.

During the course of the debate in the House on the Republican Bill many prominent Republicans expressed their desire to vote against the legislative provision. Mr. Watson, Mr. Landis of Indiana, and Mr. Hill of Connecticut were strongly opposed to it. The idea that the Filipinos should elect a lower House was ridiculed. The Filipinos were pictured as just emerging from a state of savagery and were therefore said to be incapable of holding any election. One very prominent member, a man of even international reputation as an American statesman, went to the extreme of calling the Filipinos "pirates," "barbarians," "incapable of civilization." It was at this time when hope had almost gone for the passage of the bill with the legislative provision that Mr. Cooper, in

a moment of inspiration, recited before the full membership of the House the now classic poem written by José Rizal, the national hero of the Philippines, just before he was executed by the Spaniards. "I never can forget that day," Mr. Cooper once said to the writer. "The seats were almost all filled, and as I was reciting those wonderful verses, so pathetic and yet so pregnant with lofty and noble thoughts, I looked at the faces of those who had been slandering your people, and I saw the eyes of the man who two days before had called you 'pirates' and 'barbarians' moist with tears." [5]

[5] MY LAST THOUGHT

(Poem written by José Rizal, the national hero of the Philippines, the night before he was executed on December 30, 1896.)

(TRANSLATION)

Land I adore, farewell! thou land of the southern sun's choosing!
Pearl of the Orient seas! our forfeited garden of Eden!
Joyous, I yield up for thee my sad life, and were it far brighter,
Young, rose-strewn, for thee and thy happiness still would I give it.
Far afield, in the din and rush of maddening battle,
Others have laid down their lives, nor wavered, nor paused in the giving.
What matters way or place — the cypress, the lily, the laurel,
Gibbet or open field, the sword or inglorious torture —
When 't is the hearth and the country that call for the life's immolation?

Dawn's faint light bar the east, she smiles through the cowl of the darkness,
Just as I die. . . .

"Pirates! Barbarians! Savages! Incapable of Civilization!" Mr. Cooper exclaimed, after finishing the recitation of the poem. "How many of the civilized, Caucasian slanderers of his race could ever be capable of thoughts like these, which on that awful night, as he sat alone amidst silence unbroken save by the rustling of the black plumes of the death angel at his side, poured from the soul

Vision I followed from far, desire that spurred on and consumed me!
Greeting! my parting soul cries, and greeting again! O my country!
Beautiful is it to fall, that the vision may rise to fulfilment,
Giving my life for thy life and breathing thine air in the death-throe;
Sweet to eternally sleep in thy lap, O land of enchantment!

If in the deep rich grass that covers my rest in thy bosom,
Some day thou seest upspring a lowly tremulous blossom,
Lay there thy lips, 't is my soul. . . .

And if at eventide a soul for my tranquil sleep prayeth,
Pray thou, too, O my fatherland! for my peaceful reposing;
Pray for those who go down to death through unspeakable torments;
Pray for those who remain to suffer torture in prison;
Pray for the bitter grief of our mothers, our widows, our orphans;
Oh, pray, too, for thyself, on the way to thy final redemption.

When our still dwelling place wraps night's dusky mantle about her,
Leaving the dead alone with the dead, to watch till the morning,
Break not our rest, and seek not death's mystery open.
And if now and then thou shouldst hear the string of a lute or a zithern,
Mine is the hand, dear country, and mine is the voice that is singing.

of the martyred Filipino? Search the long and bloody roll of the world's martyred dead, and where — on what soil, under what sky — did Tyranny ever claim a nobler victim?

"Sir, the future is not without hope for a people which, from the midst of such an environment, has furnished to the world a character so lofty and so pure as that of José Rizal."

Mr. Cooper has expressed the opinion that

When my tomb, that all have forgot, no stone nor cross marketh,
There let the laborer guide his plow, there cleave the earth open.
So shall my ashes at last be one with thy hills and thy valleys.
Little 't will matter then, my country, that thou shouldst forget me!
I shall be air in thy streets, and I shall be space in thy meadows,
I shall be vibrant speech in thine ears, shall be fragrance and color,
Light and shout, and loved song, forever repeating my message.

Idolized fatherland, thou crown and deep of my sorrows,
Lovely Philippine Isles, once again adieu! I am leaving
All with thee — my friends, my love. Where I go are no tyrants;
There one dies not for the cause of his faith, there God is the ruler.

Farewell, father and mother and brothers, dear friends of the fireside!
Thankful ye should be for me that I rest at the end of the long day.
Farewell, sweet, from the stranger's land, my joy and my comrade!
Farewell, dear ones, farewell! To die is to rest from our labors!

Rizal's poem was a perfect revelation to all the members and was in no small measure influential in finally securing the passage of the bill in the House with a provision for a legislative assembly.

But that passage in the House was not by any means the end of the contest against a Philippine legislative assembly. As the Senate Bill did not contain a word relating to the subject there was need of a conference. Congress would adjourn in a few days, and the opponents of the provision were praying that Mr. Cooper would call for the conference so that the Senate could have the original papers first, and thereupon take the first action on the bill. The proposed effect of this move was fully explained by Mr. Cooper in a letter to the then Governor Taft, as follows:

Unquestionably, the Senate would have been against the legislative features, and would have so instructed their confrères. After such action by the Senate, the bill would have come to the House; and thereupon, the House opponents of the legislative assembly would have made a vigorous fight for a conference in the action of the Senate and with every probability of success, as the day of the final adjournment (July 1) had already been fixed and we reached the last days of June, with a certainty, in any event, of a two or three days' conference between the two Houses over the bill. The weather was warm, the members were very anxious to get home to attend to their " fences " and to get ready for the cam-

paign; and, under these circumstances, it would have been exceedingly difficult, if not altogether impossible, to save the legislative assembly. I, therefore, decided not to ask for a conference, and Tawney and others emphatically agreed with me in this decision. But the opposition was adroit and persistent. In the evening, shortly before the vote was to be taken in the House on the passage of the bill, a messenger came to me, saying: "The Speaker wants you not to forget to ask for a conference." I replied: "Well, I will see about it." After the lapse of fifteen or twenty minutes, the messenger returned to the charge, saying, "The Speaker told me to ask you not to forget to request for a conference." The messenger returned and delivered my reply, which I have reason to believe was not specially acceptable.

Had the parliamentary manœuver of the Speaker been successful and had Mr. Cooper called a conference, the assembly provision would have been lost. As it happened, the Senate had to call for a conference. After day and night sessions had been held the senators on the Conference Committee finally consented to accept the plan for a legislature with the amended provision that the election of assemblymen was to take place two years after the publication of the census, provided that by that time there was complete peace in the Islands.

I have emphasized the importance of the establishment of the Philippine Assembly because it was

the first important concession ever given by the American people to the Filipinos. It was in a large way a signal triumph of anti-imperialist ideas. Confronted with the weight of the "consent-of-the-governed" argument, Mr. Taft endeavored to secure provision for a Philippine legislature so that he could say that the Filipinos would not be entirely unheard in governmental affairs since they would now have an organ in the Philippine Assembly. The somewhat notable record which the Philippine Assembly afterwards made became the weightiest argument which the Filipinos now wield in behalf of their claim of capacity for self-government.

CHAPTER VIII

PUBLICITY CAMPAIGN OF THE RETENTIONISTS

WITH the passage of the Philippine Organic Act the interest of the American people in the future of the Philippines grew less and less. Whatever fear they might have had as to the establishment of a truly imperialistic policy in the Islands was smoothed away by loud protestations of benevolent intentions repeatedly made by Republican leaders. These Republican leaders even went further: they not only repeated the principle of the "Philippines for the Filipinos," but they also plainly intimated that the Philippines were ultimately to be given their independence. Now such an idea had not been even hinted at by President McKinley, the man most responsible for Philippine acquisition. The word "independence" or its equivalent never found place in any of his utterances, speeches, or manifestos. He did promise the Filipinos "individual rights" and, vaguely, ultimate self-government in some hazy, distant future, though never the complete withdrawal of

American sovereignty from the Islands. With this apparent change of attitude and intent, imperialism became no longer an important issue in American politics.

The Republican convention of 1904 was not animated by the same imperialistic tendency that had inspired the Philadelphia convention four years before, as is seen from the following words of Senator Root, spoken as chairman of that convention, which undoubtedly could not have been delivered at Philadelphia:

> No one can foretell the future; but there seems no reasonable cause to doubt that under the policy already effectively inaugurated, the institutions already implanted, and the processes already begun in the Philippine Islands, if these be not repressed and interrupted, the Philippine people will follow in the footsteps of the people of Cuba; that more slowly, indeed, because they are not as advanced, yet as surely, they will grow in capacity for self-government and, receiving power as they grow in capacity, will come to bear substantially such relations to the people of the United States as do now the people of Cuba, differing in details as conditions and needs differ, but the same in principle and the same in beneficent results.

When we compare the foregoing words with Chairman Lodge's bald statement at the convention of 1900 that commercial expansion was the primary motive of Philippine acquisition, we cannot

help being convinced that something had really been yielded to America's sober second thought.

The first authoritative intimation from the American Government that the Philippines might be ultimately independent was found in the message of President Roosevelt in 1908, in which he said:

> I trust that within a generation the time will arrive when the Filipinos can decide for themselves whether it is well for them to become independent or to continue under the protection of a strong and disinterested power, able to guarantee to the Islands order at home and protection from foreign invasion.

In opening the Philippine Assembly on October 16, 1907, Mr. Taft, then Secretary of War, likewise stated:

> The policy looks to the improvement of the people both industrially and in self-governing capacity. As this policy of extending control continues, it must logically reduce and finally end the sovereignty of the United States in the Islands, unless it shall seem wise to the American and the Filipino peoples, on account of mutually beneficial trade relations and possible advantage to the Islands in their foreign relations, that the bond shall not be completely severed.

In his special report to the President after the inauguration of the Assembly, Mr. Taft definitely interpreted President McKinley's Philippine pol-

icy as meaning ultimate independence. He said, in part:

> It necessarily involves in its ultimate conclusion, as the steps toward self-government become greater and greater, the ultimate independence of the Islands; although, of course, if both the United States and the Islands were to conclude after complete self-government were possible that it would be mutually beneficial to continue a governmental relation between them like that between England and Australia, there would be nothing inconsistent with the present policy in such a result.

All these, indeed, were fine promises; but they have never been authoritatively stated by Congress, which is the only agency that could pledge the American people to that legislative program. For a people like the Filipinos, who have had to experience so many bitter disappointments and disillusionments, declarations from executive officers alone would not be sufficient to allay their fears as to their future. Those who were loudest in preaching the doctrine of ultimate independence were also most careful not to allow Congress to declare such an intention. Mr. Taft was the first to oppose the suggestion that Congress itself express the very feelings and purpose which time and again he had himself seen fit to utter. He then said that for Congress to promise independence in the future would mean endless and harmful political agita-

tion in the Islands, since the Filipinos would at once insist that they were now ready for independence and demand that therefore it be granted them — as if there could be a more active agitation than that which has been going on for more than a decade and that will go on for another hundred years until a final policy of independence shall be proclaimed and acted upon by the American Government! The simple truth is that the majority, if not all, of those who proclaimed the benevolent intentions of the American people but who would not have Congress, the only authoritative source, express them, had really set their hearts on indefinite — which is equivalent to saying permanent — retention. They would not publicly state such views since they knew that the American people were not for it. In the meanwhile they had been doing their best to feed the American pride with glowing reports of the beneficent results of their mission in the Philippines. They knew that herein lay their only strength. The policy of indefiniteness, of drifting without knowing where, could be maintained only by convincing the American people that the enterprise in the Philippines was bringing unprecedented results in the way of uplifting a people, but that at the same time the end of that mission was yet a long, long way off.

American governors of the Philippines, from Mr.

Taft down to Mr. Forbes, saw to it that the American press was constantly supplied with reports of their work in the Islands. They were aided in this work of publicity by the War Department. As the American people read these reports, they were naturally filled with pride over such a noble work. They beheld a people alleged to be semi-barbarous drawn out from the deep recesses of tropical jungles into the sunlight of civilization; they saw good roads built where there had been, according to report, nothing but the trails of the head-hunters; costly hospitals erected where there had been disease-breeding huts; they pictured splendid schoolhouses towering over vast wildernesses, children recruited, pestilence stopped, commerce enhanced. In every phase of this development they saw the ingenious hand of the pioneer American. So convinced were the American people of the utility of the great work said to be in progress in the Philippines that they elevated to the chief executive post of the nation the man whose greatest claim to that high office was his record as governor of the Philippines, William H. Taft. They naturally looked upon him as the final arbiter of things Philippine. To them it was he who had brought order out of chaos, tamed the "misguided" Filipinos, made them lay down their arms, and taught them the blessings of peace, liberty, and progress. The other

governors and officials were likewise royally received by their countrymen, who seemed to see around their brows the wreath due to a Lord Cromer. The Filipinos were, it was said, satisfied with the American government in the Philippines; the cry of independence was raised only by a few self-seeking demagogues.

For more than a decade these officials and ex-officials have controlled American public opinion on the Philippine question. Their central theme has been the incapacity of the Filipinos to carry on any decent form of government. They have belittled, if not completely ignored, the part taken by the Filipinos in bringing about what was beneficial in the results of their experiments. No mention whatever has been made of the splendid materials for their experiment — the inherent capacity of the Filipinos to advance, their thirst for knowledge, the money they pay for all the boasted improvements — without which no success would be possible in the Islands. Little has ever been said of the Christian culture and civilization which the islanders had gained after centuries of contact with Europe through the medium of Spain.

The average American reader has taken the statements of these publicity agents at face value, and as a result the American people as a whole suffer from a most deplorable lack of knowledge of

the characteristics and capabilities of the Filipino people. They have been led to think that these islanders are entirely unfit for any form of self-government because American ex-officials, who, to their mind, should be most conversant with Philippine conditions, have said so. The fact is that these American officials must of necessity, consciously or unconsciously, accept the theory of Filipino incapacity. Before leaving America, they had their minds already prepared to see and deal with an incapable people. They had been appointed to uphold the Republican policy of indefinite retention, which necessarily presupposes native incapacity. They started, therefore, already with symptoms of mental myopia in that direction. They were, in a sense, hired lawyers with instructions to find evidence for one side only. They were not free to choose which side they should favor, whether that of Filipino capacity or Filipino incapacity; the very fact that they accepted their positions indicated that they must be against the idea of Filipino capacity, because the only excuse for the Government they were serving was the incapacity of the inhabitants of the Philippines.

Once in the Philippines, the American official felt himself a thousand times more important than he really was; here he had a mission to perform: he was to teach the Filipinos to do this and that. He

saw the mechanism of that government arranged so that the departments were controlled by Americans. It is true that there was a Philippine Assembly, but at the most it was but a negative element. It had nothing to do with appointments, and it had no control over the so-called non-Christian lands which comprised more than one third of the whole archipelago. It was established only in 1907 when the whole machinery of the government was already in running order — the extravagant salaries established and other elements definitely fixed. If it wanted to reduce the appropriations, the Commission, composed of a majority of Americans, would oppose, there would be a deadlock, and the appropriations of the previous year would be continued. Ever since this Assembly was established, there has always been a conflict between it and the Commission — which is equivalent to saying between Americans and Filipinos — as to the Filipinization of the service. The question of Filipino capacity was the keynote of all these conflicts. The American official would naturally cling to the Commission. How could he be expected to do otherwise? On that side, as an American writer puts it, was his bread being buttered. Should he favor a lessening in the number of places for Americans? Should he thus admit Filipino capacity? How could he then justify his

stay in the Islands, how could he glorify and laud American experiments if he were to start with the major premise that the Filipinos were capable of self-government? His usefulness would then be gone as a factor in government, and he would be a supernumerary.

In order that I may not be deemed unfair in delineating this mental attitude of the American official in the Islands during the Republican régime, and his foregone conversion to belief in the incapacity of the Filipino people, I shall quote the confession of an ex-official himself, a former member of the Philippine Commission, the Hon. W. Morgan Shuster. He wrote in the "Century Magazine" for January, 1914:

The records of our congressional committee and of the war department are filled with reports, speeches, letters, testimony, and statistics going to show what the party then in power wanted the American people to think about the Filipinos. If any one thought differently, he became at once, in official eyes, a dreamer, an anti-imperialist, or a demagogue. His opinions were taboo in high governmental circles, and he was deemed an unsafe man to hold important office. This was only natural, and I recall it merely to show how the opinion of the American people on the question has really been formed. The opinion of the ordinary American citizen as to the Filipinos is largely influenced by the statements or the pronouncements of the very few men in public life

who have had, or were thought to have had, exceptional facilities for knowing the real facts and situation. Thus the views of Ex-Presidents Roosevelt and Taft, of Ex-Secretary of War Root, of Senator Lodge, of the different Philippine governors and members of the Philippine Commission, of the commanding generals who have served in the Islands have been the real source of "American public opinion." As a matter of fact, it is doubtful whether the views of any of these gentlemen were reached in a strictly impartial and judicial manner. With the possible exception of Mr. Taft, *they took up the subject, as I did, with a previously formed conviction that the facts were going to sustain the accepted government belief and policy, which were that the Filipinos were not fit to be, and should not of right be, independent, at least for a very long time to come.* How long, few ventured to predict. It is said that Mr. Taft, when invited by President McKinley to go to Manila as head of the Civil Commission, stated that he was opposed to our holding the Islands. That, however, was before he had been intimately connected with administrative policies already adopted, which were based on the opposite belief.

But there is another reason why all these documents, reports, speeches, and articles contributed by the retentionists are of questionable value. Before the policy of holding the Islands was ever proclaimed in Washington, and at a time when American representatives in the Philippines did not know what the real policy was to be, the utterances

of these Americans were completely at variance with the opinions of those who followed them after the decision to keep the Archipelago was reached. The Filipinos had not then had the advantage of political training under American domination, and yet they were deemed by the American officials who saw them at the time to be capable of and fit for self-government. Thus Admiral Dewey, on June 27, 1898, cabled to Washington that in his opinion "these people are far superior in their intelligence and more capable of self-government than the natives of Cuba." He then added that he was "familiar with both races." General Merritt, on his arrival in Paris, in October, 1898, was reported as saying the same thing. At about the same time, Admiral Dewey sent Leonard Sargent, a naval cadet, and W. B. Wilcox, paymaster of the navy, to investigate conditions in Northern Luxon. They traveled for 600 miles and visited seven provinces — a "characteristic and important district," Mr. Sargent said. The travelers reported that there was order in the places visited, that the municipalities were ably performing the functions of government, and that they were greeted by the town authorities with great decorum. "As a tribute to the efficiency of Aguinaldo's government," said Mr. Sargent, "and to the law-abiding character of his subjects, I offer the fact that Mr.

Wilcox and I pursued our journey throughout in perfect security, and returned to Manila with only the most pleasing recollections of the quiet and orderly life which we found the natives to be leading under the new régime." Hon. John Barrett, at the time United States minister to Siam and now director-general of the Pan-American Union, saw the Philippine Congress then working and remarked that it compared favorably with the Japanese Parliament. "The executive operation of the Government," said Mr. Barrett, "was made up of a ministry of bright men who seemed to understand their respective positions, while among Aguinaldo's advisers were men of acknowledged ability as international lawyers."

Had all the publicity work carried on by the retentionists been, if not entirely unbiased, at least, a dignified and dispassionate presentation of their side of the question, the Filipinos would doubtless have tolerated it. But such, unfortunately, is not the case. Many of these publicity agents have gone to the extreme of deliberately misrepresenting conditions in the Philippines, slandering the entire Filipino people, and picturing them as a mere conglomeration of contemptible savage tribes separated from one another by age-long jealousies and hatred. They sent Igorrotes to the St. Louis Exposition who created in the minds

of hundreds of thousands of Americans the indelible impression that the Filipinos have not yet emerged from savagery. There was hardly a magazine in the Union which did not embellish its pages with photographs of "head-hunters," directly or indirectly conveying to the lay mind that they were typical Filipinos. There was hardly a newspaper that did not open its columns to bizarre stories of the wonderful transformation of these savage Filipinos that was being wrought. American audiences have been regaled with the same stories, supplemented by pictures and told with more vividness, even with the glamour of romance, because the lecturer himself had been on the scene of action and had participated in the great enterprise!

And the men most responsible for this kind of campaign have received princely salaries from the pockets of the Filipino people! Once on vacation trips in America, or after they have left the Philippine service for better places, having thus used the Islands as a stepping stone, they have habitually continued their propaganda. It is one of their customs to make gratuitous prophecies — for they cannot be anything but mere prophecies — of the terrible calamity that would befall the Filipinos should they be granted their national desire and be allowed to rule themselves. "Cut loose

from foreign political influences," prophesied Prof. Bernard Moses, an ex-Philippine commissioner, "the Filipino would run a very serious risk of lapsing into a state of social confusion relieved only by *tribal rule.*" [1] These men repeatedly proclaimed to the world that the cry of independence proceeded only from the mouths of a few hungry "politicos." "This group," says Professor Moses in the article just quoted, "embraces the least useful members of the population as a whole — the agitators who, for their own advantage, play upon the ignorance of the common people. . . . These are they whom certain American politicians visiting the Islands have flattered and encouraged by calling them the Washingtons and Lincolns of the Philippines." Professor Moses is rivaled, if not, indeed, excelled, in his contempt for Filipino political leaders by another ex-commissioner, Prof. Dean C. Worcester. "What have we ever gained by concessions to politicians?" Mr. Worcester asks. "Can any one point out a single instance in which they have aroused a feeling of gratitude, or even that sense of obligation which may fully justify the adoption of measures that would otherwise be of doubtful utility? No. . . . Gratitude does not enter into the make-up of the average Filipino politician, and we must learn not to expect it.

[1] "Atlantic Monthly," May, 1913.

We must do what ought to be done because it ought to be done and not look for appreciation to a small but very noisy body of men who curse us for standing between them and their prey, as we stood from the day when Dewey first forbade Aguinaldo to steal cattle (?) until now."[2] The above are but samples of the utterances Mr. Worcester has seen fit to spread broadcast in America. Unfortunately, the Filipino people have reciprocated the feeling of animosity that this ex-commissioner entertains toward them. When Mr. Worcester recently returned to Cebu as the head of the Visayan Refining Company, he was met with the protest of the entire people of Cebu, who declared that they did not desire further communication with him, either commercially or governmentally. This protest was adhered to by the entire Filipino people as expressed through a united press. It was probably the first time in the history of the Philippines in which the Filipinos objected to receiving a man as a resident of their country, for whatever faults they may have, they are certainly not lacking in hospitality. Indeed, Mr. Worcester himself has spoken very highly of this trait of the Filipinos. Their grievance against Mr. Worcester must therefore be a very great one. They have resented his publicity campaign in America and his hostile attitude to-

[2] Worcester, *The Philippine — Past and Present*, p. 965.

ward them. An editorial published in a Cebu paper, "El Precursor," describes faithfully the campaign Mr. Worcester has carried on in America as viewed by the Filipino people. The editorial is therefore reproduced here in part, as follows:

MR. WORCESTER AND THE FILIPINOS MUST PART FOREVER

The issue is not between capital and the Filipino people, nor between the American-Philippine Company, of which the Visayan Refining Company is a branch, and the Filipino people. . . . The issue is between Mr. Worcester and the Filipino people. Mr. Worcester's whole career in the Philippines has been a series of indignities offered to them.

He has continuously libeled them before the American nation as a mere coterie of contemptible beings separated from one another by warring jealousies and hatred.

While in America he has delivered lectures, exhibited indecent pictures of savages, exploiting, by innuendos, if not in so many words, the American prevailing conception that the Philippines are largely peopled by savages who must be led into the paths of civilization by the American administration.

On page 973, Volume II of his book *The Philippines — Past and Present* appears a full-page picture of a half-naked Igorrote warrior, with all the paraphernalia of savagery (beads, anklets, bracelets, spear, etc.), while beside him lay the head of the enemy he has just cut

off. Who is this man? Listen to the legend below the picture: "The man with the lance could be elected senator for the Mountain Province were the Jones Bill to be enacted. He has the qualifications therein prescribed as necessary to eligibility for this high office." No spirit save that of blind, libelous animosity toward the Filipinos could have intimated that a Philippine electorate would be capable of sending to their senate chamber a naked Igorrote whose greatest pride is his having cut off the head of his fellow man! And this picture was widely reproduced in the press of America with the sensational head line of "A Possible Filipino Senator." It is a conservative estimate that at least half a million Americans have noticed this picture and that 90 per cent. of this number, not knowing anything about the Philippines, have retained the impression of how our future Philippine Senate would look. (See New York "American" of March 1, 1914.)

On page 14, January number, 1914, of "The Filipino People" is reproduced the photograph of the announcement of one of Mr. Worcester's lectures. On top of the card is the title of the lecture "The Philippines," while below it is a group of naked specimens of savagery, creating the impression that the main things worth seeing in the Philippines are the savages.

Mr. Worcester has filled one entire number of the voluminous "National Geographic Magazine" (September, 1912) with nothing but pictures of savages inhabiting "Northern Luzon," indirectly conveying to the casual and careless reader that they are the typical inhabitants of Luzon. Of course, Mr. Worcester, being, as Justice Tracey puts it, a "seasoned controversialist"

took pains to say in a few lines that these savages do not constitute the majority of the inhabitants of the Philippines; but Mr. Worcester knows full well that 90 per cent. of the American readers would not stop to read these lines but would be content with reading the legends below the pictures, all of which are likenesses of savage men. It should be further noticed that these illustrations were published at a time when the American people were weighing the capabilities and characteristics of the Filipino people. It is so often seen that by innuendos you can calumniate an entire people!

Mr. Worcester has recently carried on in America an insidious Philippine slavery campaign, not for any desire to correct any social evil, but to defeat the Philippine legislation which was then being agitated in Congress. This campaign created in the American mind the idea that in the Philippines existed a recognized institution of slavery, likening it to the situation which prevailed in the United States before the great Civil War.

Throughout the time when Mr. Worcester was a Philippine commissioner, receiving from the pockets of the Filipino people a salary greater than that of an American cabinet member, he showed unmistakable hatred toward the Filipinos. Not content with that, he taught his "pets," the savage tribes, to hate their Christian brothers, their "ancestral enemies." He "laughed at the idea that the Islands belonged to the so-called civilized people and held that if the Archipelago belonged to any one it certainly belonged to its original owners, the Negritos." ("Cablenews" of October 11, 1910, reporting his Y. M. C. A. speech.)

To Mr. Worcester our claims about the united Filipino

people are mere "idle vaporings" (page 937, *Philippines — Past and Present*). We "consider bandits as popular heroes" (page 970, *Philippines — Past and Present*). We are led to-day by "leaders who have recently committed almost incredible barbarities. . . ."

To him our Philippine Assembly — that body which has commanded the respect and admiration of each and every other American who has been here, be he Republican or Democrat — is a joke. It came "at least ten years too soon," he said. "Its creation in 1907 has resulted in imposing a heavy financial burden on the country for which there has been *no adequate compensating return*" (page 772, *Philippines — Past and Present*). It has "passed bills which, if approved by the Upper House, would have brought the administration of justice within the domain of politics, emptied the insular treasury, paralyzed health work, and gravely menaced public order." (From Mr. Worcester's article in "The Independent," February 23, 1914.)

The Filipino people must, indeed, be blind not to have noticed this over-cordial hatred of Mr. Worcester towards them, for to his own countrymen his feelings have also become apparent.

Judge James H. Blount considers him "the direst calamity that has befallen the Filipinos since the American occupation, neither war, pestilence, famine, reconcentration, nor tariff, wrought poverty excepted" (page 571, *American Occupation of the Philippines*). The New York "Evening Post" (April 4, 1914), a non-partizan newspaper, has this to say of Mr. Worcester's book:

"Mr. Worcester devotes more than one hundred pages

of his book to proving that nobody connected with our Government ever held out false hopes to Aguinaldo. *What he proves for us is merely his hatred of every Filipino who desires to see the independence of his country.* All such persons he denounces as ' politicos '—meaning demagogues. *The present work breathes a spirit of animosity not often equaled in a work intended to be a permanent contribution to the annals of men's struggles for free institutions.*"

So we believe, nay, we are convinced, that for the harmony of Filipinos and Americans, both in commercial as well as governmental fields, we must say adieu to Mr. Dean C. Worcester. He cannot add to the solution of this, America's greatest problem in the Orient. As head of the Visayan Refining Company he will necessarily deal with the whole people of the Visayas, and any relation between him and a portion of the civilized Filipinos is hardly possible. If he so loves the Philippines that he cannot live away from it, let him live the secluded life of a scientist or an anthropologist. We will not object to Mr. Worcester the anthropologist. We will give him as many skulls to measure and as many tribes to classify, but we shall request him not to use his scientific investigations to calumniate, directly or by innuendos, an entire people. Because we, too, love science, we shall not try to eclipse any halo he may be able to girdle around his head as an anthropologist of world-wide renown.

The American reader may be surprised that the feelings of the Filipino people have been excited to such a pitch against the merciless campaign that

has been carried on to baffle their national aspiration; but he can place himself in the position of the Filipino people by imagining his nation, during her struggle against King George III, represented before the English people as being composed mainly of Indian savages having no notion of any form of national government. A similar impression is exactly what many opponents of independence to-day proposed to create in the American mind. In order that the Filipinos may not be accused of being more sensitive about these representations, or misrepresentations, of Philippine conditions than they should be, I shall quote what an American, Dr. John R. McDill, has had to say about this propaganda. Dr. McDill was for thirteen years in the Philippines, first as an army man and later as professor in the University of the Philippines. On April 9, 1913, he addressed the Milwaukee Press Club, in part, as follows:

The census of 1903 shows the population of the Islands to consist of 7,600,000 people. Of these, 7,000,000 are Christians and 600,000 are non-Christians. Of these non-Christians half are Moros or Mohammedans, living in Mindanao and the Jolo Group, and the other half are uncivilized people of the mountains, in tribes, living in widely separated districts. These 600,000 people are really a negligible quantity in the general political equation, but, unfortunately, these are the people

who, for political reasons, have been the most widely advertised feature of the Philippine Islands.

Their repulsive pictures and habits have been persistently and officially portrayed in the leading magazines of this country and by lecturers until the majority of Americans regard them as typical of the Filipino people. The lecturer in vogue just now in America flashes on the screen a life-size rear view of a geestring-clad Bontok Igorrote at the bat to show how the Filipinos have taken to baseball. The picture furnished to the dignified Women's Club of Milwaukee last week their most vivid memory of a lecture on the Philippines. Contrasted with this are pictures depicting the wonderful possibilities of the Islands in hemp, copra, sugar, and tobacco cultivation, with suggestions as to what has been and can be done under American management. The entire issue of last September's "National Geographic Magazine" was devoted to the Head Hunters of Northern Luzon, and evidently has made a great impression all over the country. This article of a hundred pages, and one hundred and six wonderful illustrations, portraying the most horrible habits possible to human kind, was written by a prominent government official, an American member of the Philippine Upper House, the man mentioned in Judge Blount's recent book as the "official digger-up of non-Christian tribes" and as "the direst calamity that has befallen the Filipinos since the American occupation." This writer's official reputation for honesty is protected in the inconspicuous closing sentence, which states that "the sometimes highly objectionable customs which have prevailed or still prevail among the million non-Christian inhabitants

must not be credited to the Filipinos, the civilized and Christianized inhabitants of the Philippines, of whom there are some 7,000,000." But this obscure note fails to remove the false impression conveyed. The expense of the collection of this and similar damaging propaganda is paid for out of the pockets of the helpless Filipino people.

An exuberant magazine article of last year, referring to Brigadier-General Clarence R. Edwards' achievement in Philippine affairs, spoke of "the strides we have made in the development of the 8,000,000 naked savages, gory head-hunters, grinning Moros and what not that Dewey pulled out of the wet under our star-spangled umbrella." This is the sort of popular trash with which Americans are blinded to the importance of this great national problem. The Filipino people are not the collection of ethnological curiosities they have been represented to the popular mind. This is a great calumny.

It may be inferred from the above that the "lecturer in vogue" referred to by Dr. McDill is the same person that has been the object of the recent nation-wide protest in the Philippines — Ex-Commissioner Dean C. Worcester. He is considered to-day by many Americans as perhaps the greatest authority on the Philippines! He is generally introduced at all lectures as the only American with eighteen years of experience in the Islands, and therefore the man who should best know the Filipino people,— as if time, no matter how

long, spent in cultivating a spirit of deep-seated animosity could ever be a reliable aid to the knowledge of a people! Human sympathy, regard for the feelings of others, respect for their customs and idiosyncrasies, appreciation for their ideals and aspirations — these alone could open to the stranger a people's life, help him to hear their heart-throbbings, discover their innermost thoughts, learn their mental processes, pierce into their soul. Through these alone could he really know a people!

What circumstances could it be that permitted the campaign of Mr. Worcester to exert an influence on the American people, representing as it did all that was humiliating and hateful to the Filipinos? What special conditions have conspired to allow him to figure in the discussion of the Philippine question in America? Mr. Worcester's Philippine career and campaign in the United States, like all the grievances of subject peoples, are but the natural sequence of an ill-advised policy. It is now the common verdict of history that Warren Hastings was not so much to blame for his atrocities in India as England herself, or rather her imperial policy, which tolerated and even encouraged inhuman practices. What must be the natural outcome of an American policy which lays aside all the claims of a people for self-government

and independence, rules them without their consent on the plea that they are an incapable people and that they must be governed for their own good? What must be the necessary instrument in order that such a policy may be accepted by the American nation whose revered and traditional political doctrine is to respect the right of self-government of all peoples, in all climes, everywhere? The supporters of that policy, in order to justify it and to carry it out with the approval of the American nation, must necessarily subject that people to the humiliation of being calumniated and described as a mere conglomeration of warring tribes or a coterie of naked savages, incapable of any form of national self-government. Such partizan advocates will necessarily paint that people in the color that will best suit their purposes. They will not stop at anything that might reconcile the American nation to their policy. Hence this insidious campaign that has been carried on for sixteen years, culminating in the charges of Mr. Worcester — a campaign that has humiliated the Filipino people, hurt their national feelings, and, instead of reconciling them to American rule, encouraged them to demand with more and more positiveness their complete political emancipation. Through this campaign the gulf between Americans and Filipinos in the Islands has been made wider and wider. The

Anglo-Saxon assumption of superiority was strengthened by the sense of political mastery over a subject and "incapable" people in the minds of Americans resident in the Archipelago. The Filipinos realized that every American sent there under the Republican régime would be, on his return to America, a publicity agent who would do his best to paint them in the blackest colors. Race prejudice found a natural breeding place in such an atmosphere. It was because of this unfortunate situation that Monroe Woolley, an American magazine writer who lived in the Philippines for many years, exclaimed: "Our yoke to-day is far more odious to the native, educated or uneducated, than any other which ever galled or chafed his neck."

CHAPTER IX

THE VOICE OF THE FILIPINO PEOPLE

WE have seen that the Philippine problem has been so far discussed in the United States by the American people alone. The Filipino people have not been allowed to participate, either directly or through their chosen representatives, in such discussion. It is true that they found warm friends in many Americans in public life who have eloquently voiced their longings for independence; but the retentionists, through their persistent campaign, have drowned all these protests, denying the existence not only of a Filipino people but also of true national feeling in the Islands. Indeed, the difficulty of the whole Philippine question lies in the refusal of the American nation to treat the Filipinos as a people possessing inalienable and inherent rights to their own life, their property, and the pursuit of their own happiness. The representative of their Malolos Government was refused a hearing by the American commissioners at the Paris Peace Conference, and the treaty was signed without even any attempt to ascertain what the

Filipinos might say as to their own future. The same representative found the gates of the Washington Government closed upon him. Hostilities having begun against the desires of the Filipinos, they pleaded for a cessation, requiring that conferences be held by representatives of both the American and the Filipino peoples to deal with the future political relations between the two countries; but the plan was rejected. President McKinley told the American nation that it was not *a* Filipino people that was opposing American rule, but only one of the eighty tribes inhabiting the Islands. Mr. Roosevelt reinforced that idea by likening that struggle to a war on a savage Indian chief — Sitting Bull. Unconditional surrender was asked of the Filipinos in arms. Sheer exhaustion was the only thing, however, that brought about such unconditional surrender and complete peace.

With the laying down of their arms the Filipino people continued their struggle for independence with the implements of peace. The national spirit that had animated them in the battle-field was soon reawakened; and the political party that had advocated permanent annexation was relegated to oblivion. The retentionists, in the height of their power and influence, failed to secure the signature of a single Filipino who favored their policy of indefinite retention. "When a people has felt in

their hearts the revelation of their political unity and is convinced that the time has come for them to assume a place in the world's history"—declared a Filipino statesman [1]—"it is impossible to detain them from their march; it is in vain to amuse them with other scenes and allurements, because they have their eyes fixed ahead, and, invoking the help of men and of the Almighty, they will continue to follow the dictates of their inner self, the voice of their destiny."

Under the Organic Act, the Philippine Assembly elected by the Filipino people was allowed to choose in 1907, and every four years thereafter, a resident commissioner to represent the Filipino people in the United States.[2] Although the Filipino resident commissioner had only a voice and no vote in Congress — and even his voice is not his by right but only a courtesy given him by the House — the Filipino people found in him the exponent of their desires before the American nation and Con-

[1] The Hon. Rafael Palma, member of the Upper House, or Philippine Commission, of the Philippine Government, in a speech delivered in Manila, October 16, 1912.

[2] The Commission was also allowed to elect a resident commissioner, but as it was then composed in its majority of appointive Americans, its representative could not in any sense be considered a representative of the Filipino people. The present resident commissioner selected by the Commission, however, the Hon. Manuel Farnshaw, has disappointed the Americans who elected him by advocating Philippine independence, thus joining with his colleague, the Hon. Manuel L. Quezon.

gress. They have not lost hope that sooner or later their voice will be heard. The first Filipino resident commissioner, the Hon. Pablo Ocampo, delivered the first plea of the Filipino independence campaign at the Lake Mohonk Conference, in 1908. But to his successor, one of the present commissioners, Hon. Manuel L. Quezon, fell the honor of directing the entire campaign for Philippine independence in America. He has become the trusted spokesman for his eight million countrymen, having been twice unanimously reëlected to his present position, and he enjoys their full confidence and esteem. He has time and again appealed to Congress, has made frequent tours throughout America, speaking always for Philippine independence, and has clashed many a time with the people and the interests that are opposing the freedom of his country. His position is perhaps unique in the history of colonization — the position of a representative of a subject people, sitting in the Congress of the metropolis, openly and fearlessly advocating the complete political emancipation of his countrymen. Nothing can do justice to the message Mr. Quezon brings from his eight million constituents to the American people but his own speeches and appeals. It will, therefore, be necessary to quote him rather extensively.

Mr. Quezon contends that independence is the

only policy America could wisely and justly follow in the Philippines. He says:

American policy regarding the Philippines must be based upon the theory that the United States by its traditions, by its history and institutions, and by the principles which constitute the very foundation of its national life, cannot consistently hold colonies against the avowed will of the inhabitants thereof. Therefore, that policy to be truly American must contemplate as a final outcome either statehood or independence.

Statehood for the Philippines is not desirable, either from the standpoint of the American or from that of the Filipino people. Differences in race, customs, interests, and the thousands of miles of water which separate both countries, are insurmountable obstacles to Philippine statehood.

The idea of assimilating the Filipinos and making Americans out of an Asiatic people should be recognized by any sane person as utterly impossible. It could be accomplished, if at all, only by the immigration into the Islands of, at least, double as many Americans as there are Filipinos to-day, so that in the course of several generations the original Filipino race would have been absorbed by the Anglo-Saxon. Climatic conditions prevent this course, and, owing to their geographical position, the Philippines will never be the country of a white people.

That a territory inhabited by a people who constitute, by themselves, a separate and distinct entity, entirely foreign to the people of the United States, should become an American State, is too obviously unwise to merit any consideration.

On the other hand, the idea of statehood does not appeal to the Filipinos. They consider themselves a people, distinct from any other, constituting a nation of their own, and they cannot link their destiny with that of any other nation. They have their own ideals, customs, habits, traditions, which must mold their government and national institutions, if these are to be satisfactory to them.

There remains only the other solution of the problem, which is independence for the Philippines.

To defer independence for the Philippines until after several generations have gone by, when no living American or Filipino will see it, as Mr. Taft and those who are in accord with him have suggested, is practically to deny the Filipino people their right to govern themselves. Who can honestly assert that, because it is hinted that the Filipinos may become an independent nation within three or four generations, their control in the meantime by the United States is not in violation of the letter and spirit of the Declaration of Independence?

Independence, to be a true American policy, should be recognized at once or within a reasonable time; certainly within the lifetime of those who are responsible for the control of the Islands by the United States. Such a course is the only course that will relieve this country from the charge of having assumed permanent control of the Philippines.

To this exposition American imperialists may rejoin with the familiar assertion that the Filipinos do not want independence; that it is but the cry of

a few Filipino politicians, who, disguised as patriots, desire to get power into their hands in order that they may enslave and exploit their own people; that there is no such thing as a Filipino people. To this Mr. Quezon would answer:

We all want independence and are entitled to it. The argument of Filipino incapacity for self-government is hypocritical. It is the veil with which the American office-holder covers his desire to keep his place. It is the ambush behind which lurks the company which monopolizes our hemp and the sugar interest, which have already acquired, in defiance of an Act of Congress, 65,000 acres of land in one tract, and are ready to get more if given time and opportunity. Or at best it is the wish father to the thought of some American missionaries or churchmen who mistakenly think that they can make more converts among the wild men of the Philippines if they are backed by American soldiers.

No intelligent man who knows the contemporaneous history of the Philippine Islands and has had an intimate contact with the people of the Philippines can honestly say that the Filipinos do not constitute a homogeneous people, conscious of their own nationality. Racially the Filipinos are more homogeneous than the people of the United States, because while the American people to-day include elements coming from different parts and races of Europe, the Filipinos all belong to the same stock — the Malay race. In religion they are also more homogeneous than the people of the United States, for practically all the civilized people of the Philippines, numbering more than seven and a half

millions out of the total population of eight millions, are Roman Catholics. Belonging to the same race, molded by the same church and the same civilization for the past 300 years, the Filipinos would naturally have, as they have in fact, the same characteristics, customs, habits, and ideas.

That they constitute a nation, that they have common national aspirations and feelings, is a fact proven beyond any question. The pages of the contemporary history of the Philippines are illuminated with the most eloquent proofs of the unity of the Filipino people. In the struggle for freedom the sons of the northern as well as those of the southern islands have given their lives.

There is not a region in the whole Philippine Archipelago which has not been sprinkled with the blood of the inhabitants of that territory in the common struggle of the country for liberty. At the call of the Philippine independence cause, every province in the Archipelago, those provinces said to be inhabited by people of different tribes, responded, and headed by one man, whose local origin no one cared to inquire, they revolted against Spain and conquered every garrison and imprisoned every Spanish soldier outside the city of Manila. In defense of that same independence which they had so bravely wrung from their former masters and under the direction of a government which they themselves had established, they opposed American domination in the Islands, in spite of the fact that they knew but too well that their opposition would be crushed and that their reward for love of country would be death. The following extract from a declaration made by Ad-

miral Dewey before the Senate Committee on the Philippines indicates how united were the Filipinos in their revolution against Spain. When the Admiral was asked how large was the Philippine army which revolted against Spain, he said it numbered about 25,000, and added:

"They could have had any number of men; it was just a question of arming them. They could have had the whole population."

The trouble with many right-minded Americans is that they refuse to take notice of what we Filipinos say. Because they have lived in the Islands for a short or long period of time, they feel that they know all about the Filipinos when they really don't know anything or know very little about them. And if they would ask themselves how they have acquired their alleged knowledge of the islanders they will find that theirs is but second-hand information, no matter how long they have lived in the Islands — because American residents in the Philippines do not mingle intimately with the people, especially if they are men occupying high positions in the Government, in the church, whether Protestant or Catholic, or in business.

If you want to know how we feel and what we think, you must take our words for it. You cannot learn it in any other way. Do not always attribute to us selfish motives.

The Philippine Assembly, the only national representative body of the Archipelago, has several times petitioned Congress to grant the Islands independence. The following words of Speaker Sergio Osmeña on the occasion of the closing of the first Philippine Assembly

were endorsed by every province and municipality of the Islands:

"Permit me, Gentlemen of the Chamber, to declare solemnly before God and before the world, upon my conscience as a deputy and representative of my compatriots, and under my responsibility as president of this chamber, that we believe the people desire independence, that it believes itself capable of leading an orderly existence, efficient both in internal and external affairs, as a member of the free and civilized nations; and that we believe that if at this moment the United States should grant the suit of the Filipino people for liberty, it could discharge to the full its obligations toward itself and toward others, without detriment to liberty, to law, or to justice."

The opponents of Philippine independence would proceed: The masses of the people in the Philippines are in such a state of dense ignorance that they know nothing and care less about independence. Those people are semi-civilized, if not entirely savage. Some of them eat dogs, and for proof we refer you to the St. Louis Exposition, where Igorrotes were exhibited engaged in that toothsome pastime. As further proof of the deplorable condition of those people, behold the "moving" and "nonmoving" pictures of naked natives armed with bows and arrows and spears. It would be a pity to set this people adrift. The Government of the United States alone can civilize

them, and it must, for the sake of humanity, undertake and carry to its successful termination this altruistic work. Again Mr. Quezon would answer:

We know that we are a civilized people and have been civilized for 300 years. We know that there are only 600,000 non-Christians in the Philippines, while there are over 7,000,000 Christians, that 45 per cent. of the adult Christians were literate before American occupation, and that at least fully 75 per cent. of them now are. We know that we had a university in the Philippines even before Harvard University was established and that now we have two. We know that we had 1674 public schools before American occupation, distributed among 900 towns, and now we have more than 4000. We know that we had colleges in every important capital city and several in Manila, for both men and women, before American occupation, and that now the number has greatly increased. We know that there are Filipinos in the Supreme Court of the Islands — the chief justice being one of them — who are at least equal to their American associates. We know that two-thirds of the judges of the courts of first instance are Filipinos. We know that all the justices of the peace are Filipinos. We know that the municipal and provincial governments are administered by Filipinos elected by Filipino voters. We know that the Philippine Assembly, the lower house of the legislature, is composed entirely of Filipinos, also elected by Filipino voters; and we know that if permitted to elect the upper house of the legislature, we would elect senators who would be equal to their task. We know that we could elect a President who would be at

least as wise and patriotic as any chief executive the President of the United States could appoint over us.

Our opponents end this controversy by exclaiming, "Behold Mexico to-day. If you make the Philippines independent, another Mexican situation, which would perplex the United States with a repetition of the 'watchful waiting' policy, is sure to arise."

This Mexican argument seems effective nowadays. I do not know much about Mexico and the causes that lay at the root of this unfortunate disturbance in that republic. But there is something I can say in connection with this argument. In the first place, when we judge other people's affairs it is well to remember that paragraph of the Scriptures which tells us, in effect, that we should be fully aware of the beam in our own eye before commenting on the mote in that of our neighbor. What nation on the face of the earth has been free from internal disorders or revolution? What nation can say that it will ever be free from this, the most dreadful calamity that can befall any country?

In the second place, let me give you some points respecting the principal differences between conditions in Mexico and conditions in the Philippines, which may explain why we confidently expect that which is going on in the distressed Republic of Mexico will not happen in the Islands if free from the control of the United States. I am making no invidious comparisons, but merely stating facts. Mexico acquired its independence from Spain by force of arms, and previous to that time the people of Mexico took no part in the government of their country. Despotic foreign absolutism was the kind of government that prevailed in Mexico until then.

Once independent, a democratic form of government was established. The change was so radical that the failure of the new government was inevitable. Moreover, the great majority of the people — upon which democratic governments must depend — did not have either education or property, and therefore did not possess those qualifications leading to the maintenance of public order and of law. To this day knowledge and wealth are still the monopoly of the few. In the Philippines, on the contrary, the majority of the people are literate and property owners. Besides, we have been practising the art of self-government for seventeen years under American supervision. During this time we have been electing our provincial and municipal officials, members of our assembly, and, although the political campaigns in the Philippines are heated, we have abided by the results of the elections or have gone to the courts with our protests. We have never resorted to arms to settle any controversy.

Now, these are precisely the conditions that give stability to a democratic government — an intelligent and property-owning electorate habituated to respect the will of the majority.

But after all is said and done, the question as to the Filipino capacity for self-government can be satisfactorily answered only by a practical showing.

But why should not the Filipino people be content with American rule? Americans ask. They now have a greater trade, better roads, more schools, greater personal liberties, a good, efficient

government. They are in reality a free people. Mr. Quezon has a ready reply to this:

I will answer in the language of that great apostle of human freedom, Daniel Webster:

"No matter how easy may be the yoke of a foreign power, no matter how lightly it sits upon the shoulders, if it is not imposed by the voice of his own nation and of his own country, he will not, he cannot, and he means not to be happy under its burden."

Despite the increase of our trade, the large number of our schools, the improvement of our means of communication and transportation, and other social and religious activities, we are more dissatisfied with the present régime. What then do we need? What do we want? We need, we want to accomplish that which alone can really make a people happy; our own self-mastery. In the language of President Wilson, "We would rather starve a free people than be fed a mere thing."

In other words, it is not your philanthropy, your religious, commercial, or governmental aid that we need or desire; it is your recognition of our right to claim and to enjoy that which is most dear to you: Freedom.

That which is good government for one people might not be good for another. That is a good government which best secures the happiness and prosperity of the people which it governs. To accomplish this, a government must know the needs of the country and must not only feel its responsibility to the country but must love it as well. We give the Americans credit for trying to do their best in the Islands to make the Filipinos

happy and prosperous, but the wisest American will never know the Filipino as the Filipino knows himself, and the most altruistic American can never love the Philippines as much as the Filipinos love their own country. It is, therefore, manifestly impossible for an American government in the Philippines to be as successful as a Philippine independent government will be. "No man is good enough to govern another without that other's consent," said Lincoln.

To those who assert that the Filipinos, although under American guardianship, are a free people, let me say that freedom and guardianship are two incompatible ideas. The fact that the Filipinos are given in the Organic Act the same individual rights that the American citizens have, with the exception of the right to bear arms and be tried by jury, does not make the Filipino as free as an American citizen, as has been alleged. A free man is he whose rights are secured by himself and cannot be taken away from him at will. Our so-called individual rights are granted to us by Congress, which has reserved the right to take them away from us at any time.

The case of Canada, Australia and other self-governing British colonies has been cited to prove that a people may not have national independence and yet be free. But the people of these colonies are a free people because their very loose connection with Great Britain is of their own will and the mother country may not interfere with their affairs. Our status is wholly at variance with the Canadians or Australians. We are not free, neither as a people nor as individuals.

Mr. Quezon concludes:

Their ambition to have a national existence has been the overwhelming force that made them strive to acquire education, to better their sanitation, to increase and accumulate wealth, and raise their standard of living. This same force has been the magic and secret cause that made possible the work of three generations done in a single decade. Do not allow the present administration [3] to carry out its avowed policy of granting Philippine independence; disappoint in this manner the Filipino people; let them know that no one of the living will see their country free and you will kill them as a body politic. Their enthusiasm for advancement will die out. They will not do as much business; for what is the use of wealth if we cannot look at our fellowmen as equal to equal? Their children will lose the eager interest for learning they now have; for what is the use of knowing the rights of man and of people if you cannot enjoy them? An educated man is more unhappy if he is not free than an ignorant man under the same conditions. But let us have independence and our progress will receive the greatest impulse.

Conditions? You may impose what you will for the granting of that boon. There is nothing that we are not prepared to do or give to accomplish our national ambition. Do you want to make the Philippines the scene of your religious activities? You will be perfectly welcome to do so. We shall guarantee full protection to your priests and ministers. Do you want our market for your goods and do you wish to use it as your base of supply for your Oriental trade? We shall give you every facility you need. Do you want to develop our

[3] Mr. Quezon means the Democratic administration.

natural resources? We shall open to you our mines and our forests, and shall give you our labor. Is it not better for you to deal with us as friends in whatever field we may meet?

And we can be friends only, if we are not your subjects. There can be no friendship between the ruler and the ruled. There can be no friendship unless there is mutual respect. And you cannot respect us, while we are treated as your wards. These are no perfunctory words. Every American familiar with conditions in the Philippine Islands knows with what hardly concealed contempt the natives are treated by the Americans there. The attitude of superiority, which is natural in an Anglo-Saxon, is augmented by the feeling of political mastery which necessarily is felt by colonial administrators. And this is, of course, offensive to the Filipinos, and it is an offense that reaches the innermost of a man's soul. This evil can only be remedied by the recognition of the right of the Filipinos to be free from all foreign rule.

My closing words, therefore, are: If you want to have a good market in the Philippines; if you want to exercise there the influence of your ministers and priests; if you want your institutions admired; if you want to gain our love — there is only one policy that can accomplish this — that of immediately taking steps for the speedy granting of Philippine independence.

The Americans are a busy commercial people. After the novelty of the Philippine question had passed away, contrary to the expectation of the imperialists, they returned to their domestic duties

and occupied themselves with domestic questions. The early cry for independence coming from across the ocean 8000 miles away, they heard but faintly. The casual American reader now and then finds some little report in the newspapers regarding the desires of the Filipino people. "Filipinos Want Freedom," says the headline in some obscure corner of his favorite daily. "Oh, well," he remarks, "they will have it when they are ready," and dismisses the subject, turning to the sporting page or laying down the paper and going about his business. And yet there is something in that cry for independence that appeals to his Americanism. On the next occasion when he sees another despatch he perhaps becomes a little more interested. Then come the periodical "revolts" in Luzon or Cebu. A sensation is created. The word "Philippines" is again on the front page. Our reader has his interest reawakened, lets his imagination stray to those far-off mountains of Luzon, and wonders if that man Aguinaldo is again on the war-path. Once the sensation over, the revolt is over; for the promise of the confirmation of the rumor is never forthcoming. Our reader again forgets that there is such a thing as the Philippine Islands, until suddenly on some dull, uninteresting day, while hungering for a little excitement, he sees in the glare of the footlights some hardworking "scien-

tist," fresh from the backwoods of Luzon, triumphantly announcing the discovery of a strange, insidious plant which he calls "Philippine slavery" — and our reader again remembers that his Government sixteen years ago bought a piece of land which has since become an experimental station for scientists, missionaries, educators, experts, and what not.

Thus even those things which are calculated to prejudice the American mind against the Philippines have helped to recall to Americans the existence of a people whose future and happiness have been placed in their hands. American public opinion is often strange in its workings. It has its ebbs and flow. Sometimes it appears unreasonable and passionate; at other times, slow, cold, unresponsive. But underneath its spasmodic, outward manifestations there is a steady, invisible undercurrent, constantly gaining in momentum, likely to make itself felt when least expected.

When first the demand for independence was voiced by the Filipino people in America, the retentionists chuckled behind their desks, confident in their strong position acquired after years of constant campaigning. Despite, however, their protestations to the contrary, the desire of the Filipino people for independence had become a settled proposition in the mind of the American people.

The stanchest enemies of independence have now to admit that the Filipinos do want independence. A few years ago, ex-President Taft expressed the belief that the longer the Filipinos remained under American rule, the less they would want independence. To-day he is one of the first to admit that "most of them" do want independence, perhaps "90 per cent. of the ignorant Filipinos."

The first issue which came before Congress between the defenders of American administration in the Islands and the Filipino advocates of independence, was the friar-land controversy. The friar-land estate of Mindoro, called the San José Estate, amounting to 55,000 acres, had been sold by the Philippine Government to an American corporation.

Charges were made that administrators in the Philippine Government were enriching themselves by buying the best of these lands. These acts were denounced by Congressman Martin, of Colorado, as exploitation, pure and simple. He was strenuously supported by the Anti-Imperialist League of Boston, which claimed that its original contention that Philippine exploitation was the prime object of Philippine occupation was now being justified. It was also argued that such sales were illegal inasmuch as the law explicitly provided that public lands should not be sold to corporations in tracts

of more than 2500 acres each, and that friar lands were as much public lands as the other domains of the Philippine Government. The Filipino people were a unit in their disapproval of this sale, viewing it with much concern and alarm. Although the House of Representatives was still controlled by the Republicans, Congressman Martin succeeded in having the Committee on Insular Affairs authorized to investigate the truth of the charge. Governor Forbes, Commissioner Worcester, Secretary Carpenter, Attorney-General Villamor and the late Mr. Del Pan, attorney for the Government, were called to Washington to testify. They all, of course, endeavored to justify the action of the Philippine administration. The majority of the committee made a report favorable to the Philippine Government, but it was evident that many of its members did not approve of a situation in which the employees of the Philippine Government bought lands which they themselves were holding practically as trustees of the Filipino people. It was contended that friar-lands were in no sense public lands; but, although the Philippine officials were thus apparently vindicated, one notable thing about the whole agitation was the appearance for the first time of an entirely new element in the discussion of Philippine questions in the United States. That element was the voice of the Filipino people

expressed through their representative. On the friar-land question, it was a dissent from the position of the administration, and it was Mr. Quezon who voiced that dissent. General Edwards, then Chief of the Bureau of Insular Affairs, foresaw other obstacles that this new element in the discussion might place in the way of the policy of the department, and openly warned Mr. Quezon that should he insist in continuing in that attitude, every effort would be made to retire him from the Resident Commissionership.

In the meanwhile the political situation was fast changing in America. Democratic prospects became brighter. The Baltimore convention was held and though the Philippines were not an important issue during its deliberations, it ratified the party's former position on imperialism. The Philippine question, however, was hardly touched upon during the presidential campaign of 1912. It was less prominent as an issue that year than in any previous election. The American people did not know, nor did they care to know, Mr. Wilson's views on the Philippines. When asked his views Mr. Wilson chose to answer that he had not given the question much thought. The American people, harassed by domestic controversies, excited by the prospect of a change of party in power, did not have the Philippines in mind when they

voted in 1912. It was only after the election of President Wilson that real curiosity was aroused as to what he would do with the Philippines.

After several months of delay, which led to many conjectures as to what this new Philippine policy would really be, President Wilson, with one stroke of the pen, changed the whole trend of the Philippine experiment by appointing a majority of Filipinos to the Commission, to the consternation of the advocates of the old order who had vainly fought for its continuance. It was, moreover, only after he had heard what the Filipino people, through their representative, had to say that he appointed the new executive of the Islands, a man who had pronounced views on Philippine independence. The new Governor-General, the Hon. Francis Burton Harrison, delivered, on his arrival in the Islands, a message from President Wilson, containing the most definite promise of independence ever made by a President. For the first time, the Filipinos felt that they were being treated as a people, a group of persons that could be reached as a unit and could think as a unit. Governor Harrison in conveying the President's message, said:

CITIZENS OF THE PHILIPPINE ISLANDS:

The President of the United States has charged me to deliver to you the following message on behalf of the Government of our country:

"We regard ourselves as trustees acting not for the advantage of the United States but for the benefit of the people of the Philippine Islands.

"Every step we take will be taken with a view to the ultimate independence of the Islands and as a preparation for that independence. And we hope to move towards that end as rapidly as the safety and the permanent interests of the Islands will permit. After each step taken experience will guide us to the next.

"The Administration will take one step at once and will give to the native citizens of the Islands a majority in the appointive Commission, and thus in the Upper as well as in the Lower House of the Legislature a majority representation will be secured to them.

"We do this in the confident hope and expectation that immediate proof will be given, in the action of the Commission under the new arrangement, of the political capacity of those native citizens who have already come forward to represent and to lead their people in affairs."

This is the message I bear to you from the President of the United States. With his sentiments and with his policy I am in complete accord. Within the scope of my office as governor-general I shall do my utmost to aid in the fulfilment of our promises, confident that we shall thereby hasten the coming of the day of your independence. For my own part I should not have accepted the responsibility of this great office merely for the honor and the power which it confers. My only motive in coming to you is to serve, as well as in me lies, the people of the Philippine Islands. It is my greatest hope that I may become an instrument in the further spread of democratic government.

To every Democrat, government rests only upon the consent of the governed. And we do not maintain that self-government is the peculiar property of our nation, or that democratic institutions are the exclusive privilege of our race. On the other hand we do not believe that we can endow you with the capacity for self-government. That you must have acquired for yourselves. The opportunity of demonstrating it lies before you now in an ever-widening field.

As for ourselves, we confidently expect of you that dignity of bearing and that self-restraint which are the outward evidences of daily increasing national consciousness. In promising you on behalf of the Administration immediate control of both branches of your Legislature I remind you, however, that for the present we are responsible to the world for your welfare and for your progress. Until your independence is complete we shall demand of you unremitting recognition of our sovereignty.

You are now on trial before an international tribunal that is as wide as the world. We who appear before this august court in the light of your advocates are proud of the privilege that has fallen to us and we do not shun the responsibilities of our rôle, which is without a parallel in history. We shall eagerly await convincing proof that you are capable of establishing a stable government of your own. Such a government may not necessarily denote an entire reproduction of our own institutions but one which guarantees to its citizens complete security of life, of liberty, and of property. We now invite you to share with us responsibility for such a government here. Every Filipino may best serve his country

who serves us in this endeavor. And to that end I call upon every good citizen of these islands and all who dwell therein, whether of native or foreign birth, for assistance and support.

People of the Philippine Islands! A new era is dawning! We place within your reach the instruments of your redemption. The door of opportunity stands open and, under Divine Providence, the event is in your own hands.

Many of those who took at face value the statements of Mr. Taft, that the American policy in the Islands was the gradual extension of self-government to the natives, were not alarmed at the change President Wilson had thus inaugurated in the Commission. They said that it was not only in line with, but was the natural and immediate sequence of, Mr. Taft's policy. The Filipino people had had a lower house for some years, with evident success, and therefore it was now time to give them control of the upper house. There were others — especially those who had taken part in the administration of the Philippines — who contended that the reform gave all power to the Filipinos and thus destroyed the basis of American government in the Islands. There were, on the other hand, still those who thought the reform not sufficiently radical to satisfy the President's past pledges nor sufficiently conservative to protect the interests of Americans in the Islands. "All this shows," commented "The

Filipino People,"[4] "how slight, undeveloped, and unsatisfactory is the public opinion regarding the Philippine issue upon which the President can rely, or to which he can appeal. He must, in short, go forward with the development of a public opinion bottomed upon general principles of justice and equity, relying upon the soundness of underlying popular judgment to sustain him. As we have often said in the past, the American public is indifferent to, and ignorant of, actual details of government in the Philippines. It looks to its leaders to inform it, to shape its opinions and to steer it upon its course. It will test the soundness of the advice and direction supplied it by the character of the results obtained and in the meantime it will pay little heed to the conflicting voices sent up from selfish, uninformed, or ignorant sources."

In reality, however, Mr. Wilson's administrative policy is diametrically opposed to Mr. Taft's. The former President has made this clear, for he never lets an opportunity slip by without a criticism of the new policy. The two administrative policies may be contrasted as follows: Mr. Taft would control the whole Philippine Government, direct the entire development of the country and the progress of the people, giving the natives advisory and some slight legislative power while at the same time

[4] November, 1913.

promising them in a distant, vague future, self-government. Americans would be the directing force in this formative period of Philippine nationhood; the Filipinos a mere advisory or negative element. Mr. Wilson, on the other hand, would give them at once the control of — quoting his own words — "the essential instruments of their life, their local instrumentalities of government, their schools, all the common interests of their communities," so that they could "set up a government which all the world will see to be suitable to a people whose affairs are under their control." "By their counsel and experience rather than by our own, we shall learn how best to serve them and how soon it will be possible and wise to withdraw our supervision," says Mr. Wilson. He would give them, in a word, "the instruments of their redemption," and, as their Governor, Mr. Harrison, interpreted it, teach them self-government by the exercise of self-government.

Hardly had the new régime been set in working order in the Islands when reports of its disastrous effects began to flood the entire Union. American employees, it was reported, were dismissed by the hundred; their families were dying of hunger. Government efficiency had become a thing of the past. Governor Harrison was denounced and vilified in the eyes of his own people as the principal

source of all these evils, when his only crime was his great zeal and unswerving determination to help the Filipinos realize their dream of independence. Business was said to be totally paralyzed. Indeed, at the very mention of Mr. Wilson's Philippine policy, the New York "Herald" correspondent declared that, "like a clock in a house shaken by an earthquake, that new-found business expansion stopped; like a pulse in the body struck by lightning, the current of its life ceased to throb."

Strange as it may seem, in spite of all these outrageous reports of conditions in the Islands, the American people went on as usual with their domestic duties, as if nothing had happened. In vain did Mr. Worcester and his followers depict in most glowing colors the terrible calamity that had befallen the Islands. In vain was the plaint of the "sufferers" echoed and reëchoed from east to west. Even the patriotism of the American people failed to respond to the cry purporting to have come from hundreds of gallant veterans who had been ignominiously "dismissed from the Philippine service." It may be said that the American people displayed on this occasion that splendid optimism and reliance in the principle of self-government that have always characterized them. They never in fact realized the nature of the government they

had set up in the Philippines. An imposed, bureaucratic government, irresponsible to the people, is foreign to their nature, to their method of thought. To them self-government is the natural government of man.

CHAPTER X

THE JONES PHILIPPINE BILL

TO ratify President Wilson's reforms in the Philippine Government and to embody into law the independence pledge contained in the Baltimore platform, a bill was introduced by Mr. Jones of Virginia in the House of Representatives in July, 1914. This measure contained three main features:

1. A preamble in the form of a solemn legislative declaration of intent on the part of the United States to recognize Philippine independence as soon as a stable government can be established in the Islands. This preamble read as follows:

Whereas it was never the intention of the people of the United States in the incipiency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and

Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of

the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence: Therefore . . ."[1]

2. Provision extending the power of internal self-government in the Philippines, both by the granting of new powers to the Government and by the creation of an elective Senate.

3. Provisions specifying the nature of the relationship between the Philippine Government and that of the United States, and giving to the American governor-general a limited, and to the President of the United States an absolute, veto power. Such provisions do not relinquish any of the control or supervision which the United States is now able to exercise over the foreign political affairs

[1] The words in the preamble were afterwards changed in the Senate Committee to read as follows:

"Whereas it is desirable to place in the hands of the people of the Philippines such an increasing control of their domestic affairs as can be given them without, in the meantime, impairing the sovereignty of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence, which it is the purpose of the United States to grant, when, in the judgment of the United States, the people of the Philippine Islands shall have shown themselves to be fitted therefor: Therefore . . ."

of the Islands. The Philippine Legislature, while authorized to provide its own customs duties, cannot under the bill make any change in the trade relations between the United States and the Islands, nor, without express approval of the President, change the currency and coinage laws. Neither can it without such Presidential approval, alienate the valuable timber, mineral, and other lands which constitute a part of the public domain of the Philippine Islands. The President would also have the absolute veto power upon all legislation, and in certain important subjects, his prior assent must be secured before the laws relating to them become valid. There is expressly reserved to the Congress of the United States the right to annul any or all legislation enacted by the Philippine Legislature.

The Filipino people gave their support to this bill as a great step forward but not as a finality. Their over-mastering thought is the complete independence of their country. Their official organ in America, "The Filipino People," commented on the bill as follows:

That it will be a disappointment to many who had hoped that the present Administration of the United States intended to effect the immediate separation of the Philippines from the domination of America, we have no doubt. That they will feel that the new bill repre-

sents far less than ought to have been conceded, that they will deeply regret the failure to state the date at which independence is to be definitely granted, and that they will in some cases urge a policy of postponement rather than the acceptance of a compromise — we likewise understand. We do not, of course, regard this bill as a finality. Were it so, we should never consent to its consideration or enactment. Did it debar us from continued agitation and effort to secure the enactment of final independence legislation, we should oppose it to the uttermost. But such is not the case. The issue now presented is that of securing some forward step while a party friendly to the aspirations of the Filipino people is still in office: To adopt a measure which at least represents some progress, which gives assurance that ground already gained shall not be lost, is, we think, only the part of wisdom, and is dictated by every consideration of expediency and of the immediate interest of the people. Were we to reject any concession, even the smallest, that would advance the welfare of the people of the Philippines, we should be false to our trust and neglectful of our responsibility to public interest. If, by accepting the new Jones Bill we can obtain the permanent maintenance of the more beneficent order of things in the Philippines, produced by the advent of Governor-General Harrison and the greater power of self-government given to the inhabitants of the Islands, we shall at least prevent a recurrence to the abhorrent tyranny — now happily past — of the imperialistic period. If, beside this immediate and practical concession, we can secure a positive promise of independence from Congress, such as is afforded in the preamble to the new Jones Bill,

we shall have before us a hopeful, instead of an indefinite and uncertain, future.

We, therefore, favor the passage of the new Jones Bill, advise its acceptance by the people of the Philippines, and pledge ourselves to its support. If enacted, the measure shall have our hearty and sincere coöperation, to the end that it shall be put into effect in good faith, without reservation, and with every presumption in its favor. That, both now and ever, it will be the duty, as it undoubtedly is the intent, of all Filipinos to continue undiminished effort for the actual practical establishment of independence, free of all foreign control, we take for granted, and we once again solemnly pledge, both to the Filipino people and to those American citizens who have steadfastly supported the cause of free government, that there shall be no cessation or intermission of our efforts to secure the independence of the Philippines, either now or in the future, whatever Congress may do or may fail to do. Without the ultimate accomplishment of that end, all else would be as nothing, and better government, wiser management, and larger generosity would but aggravate the disappointment of a people balked of its dearest and most legitimate aspiration.

For what it is, therefore, for the sake of its genuine merits, and in the hope of realizing its ultimate benefits in the form of a more vigorous impulse toward complete independence, we accept the new Jones Bill, but we hold fast to our program — unalterable, unassailable, and permanent as it is. We recognize no substitute, admit no alternative, concede no reduction of our righteous demand for the absolute independence of the Philippines.

Anything that may fall short of that ideal must be regarded as a tentative step, affording an earnest of later good, desirable no doubt in temporary effects, but no more than a partial measure of progress toward a final goal.

The bill was reported in the House as a strictly party measure and on September 26, 1914, it came up for discussion. Compared with the discussion of the peace treaty in the Senate or even of the Organic Act in 1902, the debate on the Jones Bill was uninteresting and lifeless. Few prominent leaders actively participated in it. There was hardly any interest manifest on the part of the American people. If the attitude of the American public toward President Wilson's insular administrative reforms showed how uncertain was public opinion on the Philippine question, the discussion of the Jones Bill showed even more plainly how great is the indifference toward the whole Philippine question in America. Probably one explanation of this apathy of the American people toward the bill was the fact that the most serious basis for contention, the declaration contained in the preamble, was, after all, nothing but a renewal, in a more definite and authoritative form, of the repeated promises of Republican executives from President Roosevelt to the last Republican governor-general, to the effect that American policy

in the Islands is ultimate Philippine independence. We have seen that such declarations are to be found both in the addresses of governors-general to the Filipino people and in messages of Republican Presidents to Congress.

The majority of the Republican leaders in Congress did not, however, view the preamble in this light. They were against its declaration. While most of them perhaps favored the spirit of the preamble, they did not like the words in which it was expressed. These words were too ambiguous, they said, and, what was more, they were in effect a repetition of the Baltimore platform — a political pledge of the Democrats. Other Republicans, while apparently in favor of ultimate independence, were unwilling definitely to promise it to the Filipinos. The Filipinos, they said, should show faith in the American people who are always just and should not demand any definite promise. There were still others, like Ex-President Taft, who asserted that to adopt this preamble would mean endless political agitation in the Philippines, since the Filipinos would at once proceed to ask immediate independence, contending that they were now ready for it. There were still others who were frank enough to say that they would themselves never grant independence to the Filipinos.

Practically no opposition was manifest in Con-

gress to the legislative provisions of the bill. Even those who were strongest in their hostility to independence were willing to concede a liberal form of self-government to the Filipinos. Outside of Congress, those few who had personally initiated the Philippine experiment, who would continue to let government control rest in the hands of five Americans, alone could not be reconciled to the idea of Philippine home-rule. During the recent hearings before the Senate Philippine Committee all the witnesses, representing every element that has had any experience in the Philippines — business men and ex-Philippine officials — with the exception of Ex-President Taft and Mr. Worcester, who are, in a way, the initiators of the "experiment," have conceded the necessity of enacting the chief administrative features of the Jones Bill. It is gratifying to note that, in spite of the passivity of the interest of the American people in the Philippine question, the principle of home-rule has thus been practically assured the Filipinos. This is also a tribute to the vigor of the campaign for independence that has been carried on in America. Congressman Cooper of Wisconsin, who was the man most responsible for the enactment of certain features of the present organic act, commented on this change of the American attitude toward the Philippines in the following words:

As I listen to this discussion the thought keeps on occurring to me of the astonishing change in the attitude of the House and of the American people generally toward the problem of the Philippines. . . . Twelve years ago the House debated and passed the bill which became the organic act establishing civil government in the Philippines. One of the greatest contests was over the question whether the Filipinos should have a legislature and be permitted to elect the lower house. This suggestion for an elective lower house met powerful opposition and was very strongly, bitterly denounced. . . . The Senate Bill contained no provision for an elective assembly. In so far as I have been able to learn, no senator ever, on the floor of the Senate, advocated such a proposition. Only the House Bill contained a provision for a Philippine Assembly purely elective. . . . An elective assembly in the Philippines, it was predicted, would result in abject failure.

And yet there is now, I think, no gentleman on this floor but that is willing to vote not only for the retention of the elective lower house, but also for the establishment of an upper house of senators to be elected by the people of the Philippines.

One great benefit gained from the discussion in the House is that it clearly laid bare the position of many of those who have hitherto been noncommittal on the Philippine question. For many years, ever since the "sacred mission" idea has become intrenched in the American mind, we have heard little but the now hackneyed argument of the incapacity of the Filipino people for self-government

and the unparalleled character of the work of the American Government in the Islands, directed to the uplifting of the Filipino people. It was, therefore, a satisfaction to observe that at least one prominent Republican placed his attitude against independence on an entirely different ground. Such an one was Mr. Mann of Illinois. Inasmuch as his position may, in the opinion of the writer, be prominently brought forward again before long, I shall reproduce it here. He conceded that the Filipino people were capable of self-government, and would give them a larger measure of self-rule than is allowed in the Jones Bill, but he would never give them independence. He would have the Filipinos want to remain under the American flag. He would make them friends of the American nation so that when the great Asiatic conflict, industrial or otherwise, which, to his mind, is ever impending in the Orient, comes, the American people may count on their help. He said in part:

We command the Pacific Ocean to-day with the land that we have on this side, with the islands which we possessed in the sea, and the Philippines on the other side. Will we surrender our command? I say no; never. . . . I assume, for the purpose of argument at least, that they are capable of self-government. I am in favor of giving to the Filipino people the broadest liberty of self-government, retaining them under the American flag. I think that in justice to our country and to those who will come

after us it is our duty, first, to keep the Philippines under the flag of the United States, and, second, to make them our friends. It would be no great advantage to the United States to own the Philippine Islands or to have them a part of us in time of war if they were unfriendly to us. It is our business not only to keep them under our flag but to make them want to stay under our flag.

This was certainly a departure from the usual arguments the retentionists have been employing for more than a decade. Here the Filipinos are not called barbarians incapable of civilization; they are not classified as a mere conglomeration of tribes. On the contrary, their capacity for and right to self-government are conceded, and they are even recognized as a factor in the forthcoming struggle in the Pacific. Their friendship is required for the maintenance of American supremacy in the Pacific; hence remain they must under the American flag.

What would the United States do, asked Mr. Quezon, should the Filipino people after they have been granted autonomy still demand independence? Would the United States still insist in such a case upon keeping the Islands against the will of their inhabitants? Would the United States if necessary resort to force to subject them to the American flag? Would the retention of the Philippines under such circumstances be an aid to the United

States in such a forthcoming struggle as is predicted by Mr. Mann?

Perhaps the gentleman from Illinois is right in his expectations and his hope that the day will some time come when the Filipino people, after having been granted control of their domestic affairs and after having thus lived for so many years under the American flag — that would then mean to them the sovereignty of a strong and friendly nation, not the despotic rule of a tyrant master — may prefer to be permanently a self-governing colony of this empire rather than a free and independent republic borne by this mother of republics. But should that ever happen, it would be only after the preamble of this bill had received congressional approbation; only after the Filipino people had been told by the American people through its constitutional representative — the Congress — that they may if they so desire be some day an independent and sovereign nation. Then, and only then, the Filipino people, reassured as to your good faith, convinced that whatever you may pledge yourself to do is assured of fulfilment when once the pledge is given, no matter whether your selfish interests do or do not dictate otherwise — then, and only then, may the Filipino people of their own free will and spontaneous volition decide that they prefer to maintain a permanent political relationship with the United States. And then, and only then, can that relationship be beneficial to both peoples, a real protection to the Philippines and a source of strength to the United States.

The bill passed the House on October 14, 1914, with every Democratic vote for it and some fifteen

Republican votes in addition — a total of 211 ayes and 59 noes.

The bill, however, met a different fate in the Senate. It was included in the Administration's legislative program for the last session of the Sixty-third Congress; but its early consideration was soon found to be out of the question, not because of any serious opposition, but because the Shipping Bill, the first measure on the program being an emergency measure, met with so much opposition that more than two thirds of the time of the Senate was spent in fruitless debate and in "filibustering." During the last days of February, 1915, when it became certain that the much-combated Shipping Bill could not be passed, an effort was made by prominent members of the Senate, with the coöperation of the President, to secure an agreement with the Republicans by which the Philippine Bill could be brought to a vote. A vote at that stage of the session could, however, be secured only by the unanimous consent of the members, for Congress had only a few days of its life remaining and, due to the rule of the Senate which allows unlimited debate, one or two senators would have been able by protracting the discussion "to talk the bill to death." When a canvass of senators was taken and it was found that there would be some opposition

to the preamble, a compromise was offered by certain Republican senators whereby the word "independence" in the preamble would have been eliminated and "self-government" substituted. Had this offer been accepted the bill would have passed the Senate unanimously. It was rejected on the ground that it would put the Democratic party in an embarrassing position and that it would be better to have no bill at all than to permit the preamble to be emasculated in the way suggested by the Republicans.

Other amendments suggested by the opposition would have explicitly provided that the promise of independence might be revoked by other Congresses or might be fulfilled at some time in the future without making the date of such fulfillment depend upon any demonstration of fitness or unfitness on the part of the Filipino people. All these proposals, of course, were consequently rejected. It was also suggested that the bill be passed without preamble and that the original preamble be introduced in the form of a joint resolution to be pressed for action not at that session but at the next session of Congress. The advocates of independence objected to this plan. In the first place, it would have meant the adoption of the bill practically as it was reported from the Senate Committee without any

opportunity to amend some of its provisions which were not considered very satisfactory but which might wisely be acquiesced in were it feasible to pass the bill with the preamble.

CHAPTER XI

THE CLARKE AMENDMENT

ON the very day of the opening of the Sixty-fourth Congress Mr. Jones of Virginia reintroduced his Philippine Bill in the House of Representatives, and a few days later Senator Hitchcock took similar action in the Senate with his bill. Immediately upon the organization of the Senate Philippine Committee, Mr. Hitchcock called a meeting, and, after conducting brief hearings, on December 17, 1915, filed a favorable report, with a change made in the preamble whose main features have already been considered. Independence, as now recommended to the Senate, was to be granted the Filipinos when, in the judgment of the United States, it would be "to the permanent interest of the people of the Philippine Islands" instead of when the Filipino people should have "shown themselves to be fitted therefor,"— the original wording of the preamble. This change was made because the word "fitness" had been the subject of constant, sometimes bitter, discussion in the Islands. It was really an attempt at compromise with a view

to placing further discussion of independence on the ground of "interest" and "convenience" rather than of "fitness." There was hope that ill-feeling and friction between Americans and Filipinos would thus be much lessened if not entirely ended, because, under the new preamble, no allusion or argument that was hurtful to the national pride of the Filipino people would likely be made. The feeling for independence had manifestly remained unabated in the Islands, for upon the convening of the Philippine Assembly on October 16, 1915, that body again unanimously passed a resolution petitioning Congress for the enactment of an independence bill. "We again reiterate," the resolution read, "in the name of the Filipino people, the national desire and purpose set forth on many former occasions. . . . We wish to assure a stable future for our people. We desire an increase of the elements of our national life and progress. We ask yet more, and for that reason, in reiterating, as we hereby do reiterate, our urgent petition for liberty and independence for the people of the Philippine Islands, we, the elected representatives of the Filipino people, express our confidence that the efforts of the President of the United States to secure the fulfilment of his promises and the realization of our lawful hopes will obtain early and complete success."

The quick action of the Senate Philippine Committee at once placed the bill on the Senate calendar, and when that body reconvened after the holiday recess, it was the first feature of the so-called "administration legislative program" to be ready for action. The debate began in the Senate on January 5, 1916, and attention was at once centered on the preamble. Question was immediately raised as to what possible interpretation could be given the independence promise contained therein. Would it settle in a satisfactory manner the vexatious Philippine problem? Would it really pave the way for the independence of the Philippines? Could it not be construed to mean that the American nation was free to refuse ever to grant the Filipinos their independence because of belief that the permanent interests of the Islands would always demand the retention of the Islands by the United States? In the opening speech of Senator Hitchcock he was interrupted by Senator Cummins of Iowa with this same inquiry. "Suppose," said Mr. Cummins, "that I believe it would be better for the people of the Philippine Islands to remain permanently attached to the United States as a State, with all the privileges of a State, or otherwise, would I not fulfil the promise or assurance of the preamble in voting to retain the Philippine Islands as a part of the territory of the United

States?" To this Mr. Hitchcock very candidly answered, "I presume the Senator would." Here was the confession of the author of the bill himself that the preamble was not an explicit pledge that the Philippines should be given their independence.

Interest was aroused by this revelation. American sentiment in favor of Philippine independence has always been widespread, but was and is still rather dormant, due to the lack of interest on the part of most citizens in Philippine affairs, to the great distances that separate them from the Islands, and to the impression created among them by the retentionists that the Filipinos needed generations of training and trusteeship before the question of independence could be wisely discussed. This dormant sentiment was now for the first time beginning to take definite forms. Again the question was raised by Democratic senators whether the preamble of the bill really carried out the platform pledge of the Democratic party. Would a measure which merely made the Philippine Government more liberal and which, according to the statement of the author himself, might or might not lead to the granting of Philippine independence, be really in accord with Democratic platforms and promises? Was it not in effect a further evasion of the question of independence? Sentiment in favor of a

more definite statement of policy thereupon increased in the Senate. Taking advantage of this trend of feeling, Senator Clarke of Arkansas, on January 12, 1916, made it known that he would introduce an amendment which would grant the Filipinos their independence in two years, would instruct the President to negotiate neutralization treaties with as many nations as were willing to sign such agreements, and would make the United States the sole guarantor of such independence in case no nation was willing to join as a signatory. The President was reported to be opposed to this amendment on the ground that a definite and irrevocable date when independence should be granted was a most unwise provision because nobody knew in what situation the United States would find itself at any particular time. When Senator Clarke learned of the objection of the President to the establishment of a definite fixed date, he modified his amendment so as to make the granting of independence effective in not less than two and not more than four years, with a further provision to the effect that the President might extend the time to one year more and might again submit the subject to Congress. The President, thereupon, withdrew his objection. Mr. Clarke further perfected his amendment and, when finally passed, it had taken shape as follows:

The President is hereby authorized and directed to withdraw and surrender all right of possession, supervision, jurisdiction, control, or sovereignty now existing and exercised by the United States in and over the territory and people of the Philippines, and he shall on behalf of the United States fully recognize the independence of the said Philippines as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof, and full power to take the several steps necessary to institute such government is hereby conferred upon the said Philippines acting by and through governmental agencies created by this Act. This transfer of possession, sovereignty, and governmental control shall be completed and become absolute not less than two years nor more than four years from the date of the approval of this Act, under the terms and in the manner hereinafter prescribed: *Provided,* That if the President, prior to the expiration of the said period of four years, shall find that the condition of the internal or external affairs of said Philippines in respect to the stability or efficiency of the proposed government thereof is such as to warrant him in so doing, he is hereby further authorized, by proclamation duly made and published, to extend the said time to and including the date of the final adjournment of the session of Congress which shall convene next after the date of the expiration of the said period of four years, and thus afford the Congress an opportunity in its discretion to further consider the situation in the said Philippines; but any such extension of time by the President shall not otherwise suspend or nullify the operative force of this Act, unless

the Congress shall hereafter so direct. For the purpose of a complete and prompt compliance with this direction, the President is hereby invested with full power and authority to make such orders and regulations and to enter into such negotiations with the authorities of said Philippines or others as may be necessary to finally settle and adjust all property rights and other relations as between the United States and the said Philippines, and to cause to be acknowledged, respected, and safeguarded all of the personal and property rights of citizens or corporations of the United States and of other countries resident or engaged in business in said Philippines or having property interests therein. In any such settlement or adjustment so made in respect to the rights and property of the United States as against the said Philippines the President may reserve or acquire such lands and rights and privileges appurtenant thereto as may, in his judgment, be required by the United States for naval bases and coaling stations within the territory of said Philippines.

Upon the motion of Senator Kenyon of Iowa (Republican) the following guarantee and neutralization provisions had been stricken out:

Immediately upon the passage of the Act, the President shall invite the coöperation of the principal nations interested in the affairs of that part of the world in which the Philippines are located, in the form of a treaty or other character of binding agreement, whereby the cooperating nations shall mutually pledge themselves to recognize and respect the sovereignty and independence of the said Philippines, and also to mutually obligate

themselves, equally and not one primarily nor to any greater extent than another, to maintain as against external force the sovereignty of said Philippines. If any of the nations so invited to join the United States in such undertaking shall decline to do so, then the President shall include as parties to such convention or agreement such nations as may be willing to join therein and to assume such obligations; and if none are willing to so unite therein, then the President is authorized to give such guaranty on behalf of the United States alone for the period of five years from and after the expiration of said period of four years, or any extension thereof, and pending the existence of such separate guaranty by the United States, the United States shall be entitled to retain and exercise such control and supervision in the said Philippines as may be necessary to enforce order therein and to avoid external complications.

The Clarke Amendment was adopted in the Committee of the Whole House of the Senate by a vote of forty one to forty one, Vice-President Marshall casting his deciding vote affirmatively. The final vote on the bill as amended was taken on February 4, 1916, fifty-two ayes and twenty-four nays, the Democrats solidly voting for it while six Republicans joined with them. The result was as follows:

YEAS — 52

Ashurst	Broussard	Clarke, Ark.
Bankhead	Bryan	Fletcher
Beckham	Chilton	Hardwick
Borah	Clapp	Hitchcock

Hollis	Newlands	Simmons
Hughes	Norris	Smith, Ariz.
Husting	O'Gorman	Smith, Ga.
James	Overman	Smith, S. C.
Johnson, Me.	Pittman	Stone
Johnson, S. Dak.	Pomerene	Swanson
Kenyon	Ransdell	Thomas
Kern	Reed	Thompson
La Follette	Robinson	Tillman
Lea, Tenn.	Saulsbury	Vardaman
Lee, Md.	Shafroth	Walsh
Lewis	Sheppard	Williams
Martin, Va.	Shields	Works
Myers		

NAYS — 24

Brandegee	Harding	Poindexter
Clark, Wyo.	Jones	Smith, Mich.
Colt	Lippitt	Smoot
Cummins	Lodge	Sterling
Curtis	McCumber	Sutherland
Dillingham	McLean	Townsend
Gallinger	Nelson	Wadsworth
Gronna	Page	Warren

The action of the Senate was the most decisive step taken by either branch of the American Congress toward the granting of Philippine independence. A year earlier such a result would have seemed almost impossible of attainment. The factors that contributed to the decisive advance were, of course, many and varied. Constant Filipino

petitions and resolutions urging independence, together with the insistent agitation carried on by the Filipino representatives in America, have been a potent factor in bringing about the result. When it was learned that the Clarke Amendment was being seriously considered in the Senate, the Philippine Assembly immediately and unanimously passed a resolution of unqualified endorsement which was cabled that same day to Washington and personally handed to Senator Clarke by Commissioner Quezon. The resolution read as follows:

Whereas, the Clarke Amendment to the Philippine Bill now pending before the Senate of the United States specifies the conditions under which independence shall be granted to the people of the Philippine Islands, expedites the granting of that independence, and safeguards the internal and external affairs of the said Islands pending the granting of said independence;

Whereas, said amendment makes the independence provision of the preamble more clear, explicit, unequivocal, and expeditious, and fixes the responsibilities which the people of the United States and the people of the Philippine Islands shall respectively assume before and after the granting of said independence:

Therefore, resolved that the Philippine Assembly should recommend, as it does hereby respectfully recommend, the passage of said amendment by the Congress and the President of the United States.

Another encouraging sign disclosed during the debate in the Senate was the kindlier appreciation of Filipino life and civilization manifested by the senators. Indeed, if we are to judge the advance of the Filipinos from the representations made in the Senate and the pictures represented fifteen years ago, they must indeed have effected a wonderful transformation. We have seen how, when the Philippine Organic Act was under discussion fourteen years ago, prominent members likened the Filipinos to pirates and savages incapable of civilization. The man most responsible for this changed attitude of the Senate was perhaps Senator Shafroth whose recent visit to the Islands enabled him to present to the Senate first-hand information of conditions there, and whose observations proved of great interest to his colleagues. He said:

Some people who are opposed to Philippine independence often refer to photographs of natives in a seminude condition as examples of Philippine civilization and ask if such beings are capable of self-government. Such pictures are exceptional and are usually of what are termed the uncivilized inhabitants, which in population bear no greater proportion to the Christian Filipinos than the American Indians did to the people of the Colonies at the time of the Revolutionary War. . . .

The Philippine people are capable of self-government because they have a deep interest in their country and

great love for her and possess a large highly educated class, thoroughly identified with the best interests of the Islands, who under the educational qualification now prescribed by law will be elected to legislate and administer the affairs of government.

The Filipino people are not nomadic. They do not live in tents or caves and rove for their subsistence; they live in houses and have farms which they cultivate. They own nearly all the real estate of the Islands; only 6 per cent. are renters. They love their homes. Their children are a pleasure to them, and the devotion of children to their parents continues through life. They are generous to their relatives; they will share with them their household and divide with them the last morsel of their food. Pauperism is almost unknown. According to the last census only 1,668 paupers were a public charge. They are honest, industrious, and moral. Such men if left alone are sure to work out a splendid destiny for their country.

The interest of the Filipinos, however, was by no means the predominating factor in the growth of the independence sentiment in the Senate, although it is safe to say that the Clarke Amendment would not have passed that body except with the support of the Filipino people. The national interest of the United States was undoubtedly the main consideration of a great many senators. Never before has the tremendous expense of the Philippines to the American treasury been fully realized by the American nation. Estimate of the cost of Philippine re-

tention ranged from $20,000,000 to $40,000,000 a year. Commercial profit derived by American merchants was also shown to be utterly insignificant beside the tremendous expense incurred by the Government. Senator Shafroth figured that the profit to American commerce does not exceed two and one-half million dollars a year. Granting, he said, that this amount might, within a short time, be doubled or trebled, it could not exceed ten million dollars while the cost to the Government was never below twenty million dollars.[1]

Connected with the unprofitable nature of Philippine colonization was the military weakness and danger to which America was constantly exposed through the retention of the Philippines. Since the beginning of the present European War, the American people have realized this danger more than ever. Ex-President Roosevelt, in January, 1915, gave this warning:

> The Philippines from a military standpoint are a source of weakness to us. The present administration has promised explicitly to let them go, and by its actions has rendered it difficult to hold them against any serious foreign foe. These being the circumstances, the Islands should at an early moment be given their independence without any guarantee whatever by us and without our retaining any foothold in them.

[1] Congressional Record, January 8, 1916, page 843.

This same feeling was voiced by many senators during the debate. "Before this nation can enter upon an era of preparedness of the United States," said Senator Lewis, "there must first be determined what are the limits of your nation, what country have you to prepare for, what particular part of your country is now to be excluded from the expense and obligations of preparation." It has become a foregone conclusion among Americans that the Philippines cannot and should not be defended, that in case of a war it would be foolhardiness to attempt to check the landing of an invading army in the Islands, and that, therefore, they should be excluded from such a program of preparation. The money expended yearly as a result of American occupation of the Philippines should be diverted to the military preparation of the United States and its nearby territories. Senator Lewis estimated that in ten years more of American occupation, the American people would have expended for the Philippines $250,000,000. "Then," he added, "by releasing the burden of the Philippines, we save the full sum that is essential for the completest navy that has been suggested for our immediate and modern necessities." Economy and safety first have unquestionably been the deciding considerations in bringing about the result of the Philippine vote in the Senate.

But it was not alone the safety of America that demanded separation from the Philippines. Some senators at least believed that the Philippines were themselves running grave danger through their union with America. "While the possession of the Philippines by the United States imperils the United States," said Senator Clapp, "it is equally true that so long as the Philippines are a part of our possessions, that fact imperils the Philippine Islands. The very history of those islands proves that they would not have been touched by the American Government had they not been a part of the possessions of Spain." "The security of the Islands from attacks," added Senator Robinson, "may depend upon the relinquishment of control by the United States rather than the retention of them by the United States."

In contrast with all the Philippine measures that have hitherto passed any branch of Congress, the Senate Philippine Bill offers a final solution to the Philippine problem. It proposes to grant the Filipinos their independence not in some vague and distant future when those who have made the promise shall have been dead, but within four years, allowing merely for the time properly to transfer the government to the people. It is a decisive answer to those who have always ridiculed the idea of Philippine self-government and independence. It

now remains for the House of Representatives to complete the step and convert the measure into law. In the opinion of many senators, a mere declaration of an independence policy as contained in Mr. Hitchcock's bill settled nothing and would only give the Filipinos encouragement for further, perhaps fruitless and dangerous, agitation for independence. It held out a promise which, they claimed, could not be fulfilled. Consequently, a fixed and definite date for independence would be far preferable to such a declaration. "I cannot conceive of a more mischievous declaration," said Senator Sutherland, "because, as we all know, in a very short time the people of the Islands who desire independence will be declaring that it is for the permanent interest of the people to have independence, and, if Congress is not prepared to agree with them, that means disappointment, ill-feeling, and, very likely, insurrection." "It seems to me," said Senator Lippitt, "that there are just two positions that can be taken by the Senate of the United States; one is to give these people their independence now and the other is to say nothing about the question of their independence. . . . We have not the power to promise the Philippine people that some succeeding Senate will grant them their independence. It seems to me it is a very unwise position for us to put ourselves in an attempt to promise

something that we have not the power to carry out. It is deceiving the Filipino people into believing that they have an assurance when they do not have it." "We ought to adopt the amendment which the Senator from Arkansas (Mr. Clarke) has submitted," said Senator Borah, "or we ought to eliminate, once for all, all discussion of independence." "If we are to go," said Senator Lodge, "we ought to go; and if we are to stay we ought to stay and keep the power." He opposed the legislative provisions of Mr. Hitchcock's bill for it "simply weakens the control which we ought to have if we are to be responsible for the Islands in any measure." Ex-Senator Root has expressed the belief that, inasmuch as the Philippine question would seem to be ever under the harmful influence of American politics, the American people "had better give the Islands their independence promptly; not promise it in the future but give notice of an election and turn it over as we did with Cuba."

The position of the senators quoted above would seem to insure, whether they wanted it or not, the most speedy enactment of the Independence Bill. To them there are only two solutions to the Philippine problem: either promptly to grant independence or to cease all talk of independence. Now suppose we take the alternative — to cease all talk of independence. To do this the Filipinos will

have to unlearn all the political education they have had under America. The whole American experiment in government must be recommenced. It will be necessary to stamp as forbidden fruit the best that is in American life and institutions — the Anglo-Saxon love of freedom and independence. It will be unavoidable to write anew for the Filipinos the history of America. For, as Senator Clapp very eloquently put it, "the moment we reached the Islands we carried to those people the American history and the American schoolbook — the American history replete with the traditions of freedom and of independence; and American history fails in its mission to teach its lesson, if seventeen years of study would not develop in the minds of any people a desire for independence and a desire for freedom." The books and papers printed in the Islands, few pages of which are without a reference to independence, would have to be destroyed and the names of President Taft, President Roosevelt, and the other American statesmen who have held out hopes of independence, buried. And, after all traces of independence agitation in the past had been wiped out, the people would have to be deprived of their rights of the press and of speech and a sentinel placed at every Filipino home lest the most cordial family reunion breed dangerous independence germs! No sane person could be-

lieve that America will ever tolerate such a travesty of her life and ideals!

The Filipino people received the Senate vote with genuine enthusiasm and relief. They welcome the definite and unequivocal action contemplated by the Senate Bill. Nothing is as hurtful as uncertainty. For sixteen years they have been left at sea as to America's real intention towards them. For years they had kept on petitioning Congress for a definite statement of policy, but on each occasion the issue had been evaded. Every device had been employed to avoid making known America's purpose towards them in any final or authoritative way. When the ratification of the Treaty of Paris was being discussed in the Senate, a declaration of purpose was refused by many legislators because such action would be "giving bonds to Spain" on a matter that was "wholly their own to decide" and not Europe's. After the ratification of the treaty, attempts were again made, as we have seen, to secure a declaration of purpose. Unfortunately the Filipino-American War had broken out and this afforded a new excuse for the retentionists. "We will not tell the Filipinos what we want to do with them until they lay down their arms," was the argument they then advanced. When peace was restored and Congress took up the question of establishing civil government, further attempts were

made to bring about the declaration of a definite policy, but to no avail. The government that was ultimately established was declared to be merely *temporary* and this is the same government that the Islands now have. It has been *temporarily* imposed upon them for fourteen years. They welcomed with spontaneous unanimity Mr. Jones' first bill introduced in 1912 providing for independence in 1921, but they were made to understand that that bill could not be passed, that the President was opposed to a definitely fixed date. They were then offered a bill without fixed date but with the formal and authoritative statement that independence should be granted when a stable government could be established in the Islands. They accepted this as a first step in the right direction. They wanted to obtain legislative sanction for the administrative reforms of President Wilson and to have the United States formally go on record for an independence policy. They wanted to be in a position to carry forward with greater vigor their independence propaganda. They wanted to have an understanding of some kind with the American people on which they might build a more cordial relationship. It must not be forgotten that American sovereignty in the Islands is still based on force and not upon the sanction or even acquiescence of the Filipino people. The Filipinos are still ruled

by virtue of the Treaty of Paris which was made in utter disregard of their interests and against their earnest protest. That treaty still stands to them in lieu of Magna Charta, the only source of their Bill of Rights and their Constitution. They have never since, of their own free will, recognized or acquiesced in American sovereignty; they still consider themselves unjustly deprived of their right to manage their own affairs and to lead an independent existence. The present Organic Act of the Philippines was passed unasked for by the Filipinos. They have not for a moment renounced their idea of national independence, and when the first Philippine Assembly met, it made the solemn declaration that American rule in the Philippines remained unsanctioned by the people whose greatest desire, then as ever, was their complete political emancipation. Political parties in the Philippines are founded primarily on programs for national independence. No group of Filipinos has ever expressed its assent to, or sanction of, American sovereignty.

No true political progress can exist in the Philippines under such anomalous conditions. The one great *sine qua non* of political stability is respect for the law brought about, not by force, but by the acquiescence of the people in the State that promulgates the law. No people can have a genuine

respect for the will of the State who have not willingly become a part of that State. In the long run, the government imposed under such circumstances will work evil. Its very existence is a hindrance to the natural development of the people. It may be the most benevolent of foreign governments, it may build schools, roads and public buildings, but while it remains an alien government unsanctioned by the national conscience, it will fail to secure genuine respect for its laws and mandates.

Elsewhere in this volume the publicity campaign of the retentionists has been dealt with at length. There we saw that as a result of the policy of indefinite retention, the opponents of independence, in order to reconcile the American people to the idea of permanent annexation, have carried on a most vigorous campaign of misinformation, painting the Filipinos in their worst colors, ridiculing their customs and characteristics, and exhibiting every political mistake that they may make as a sign of utter incapacity. What effect has this campaign on the Filipino body politic? Humiliated by such tactics, hurt in their most sensitive feeling of national pride, they have naturally assumed an attitude of self-defense. They have become guarded in all their manifestations as to their own shortcomings and habitually refer only to what is creditable in their civilization. Every spirit of self-

criticism has been buried. Reformers have ceased to write of conditions that should be improved, undesirable habits that should be changed, antiquated ideas that should be modernized, and superstitions that should be wiped out. Who can deny that such conditions calling for improvement exist in the Philippines as they exist in every country? But because of the publicity campaign carried on in America by those who are ready to take advantage of any incident or utterance that may be used to advantage in representing the Filipinos to the American people as something akin to savages, a unanimous movement has been developed to cover up their national defects. Thus a great force for social progress — self-criticism — has been debarred from exerting its influence.

To remedy the whole situation the Filipinos were willing to accept for the time being, as a compromise measure, a bill which would formally recognize their right to independence and which would give them the governmental powers by the use of which they could demonstrate their capacity for self-government. They knew that they would be equal to the task and that then the American people would be obliged to give them their complete freedom. The bill, however, while it was adopted by the House of Representatives, failed to pass in the Senate. This was a great disappointment to the

Filipino people. It was with great difficulty that the Filipino political leaders succeeded in allaying their fears and in reviving their confidence in the ultimate triumph of their peaceful endeavors. They were promised by the Democratic leaders that the Sixty-fourth Congress would do them complete justice. President Wilson's attitude toward them inspired them with renewed hope. His entire foreign policy had been that of continuous and consistent repudiation of imperialism. He refused to intervene in Mexico in spite of the urgent demands made upon him by large American interests for such an action. He asserted that every people has a right to debate and adjust its own internal affairs as best it can. He had denounced the imperialistic impulses that the American people have suffered from in the past. "If we have had aggressive purposes and covetous ambition," he said, in his address in November, 1915, "they were the fruit of our thoughtless youth as a nation and we have put them aside. We shall, I confidently believe, never again take another foot of territory by conquest."

It is now a great relief for the Filipinos to find that at last a branch of the American Congress has realized that continuation of the present Philippine situation is extremely dangerous and unwise; that uncertainty and continuous political agitation for independence on the part of the Filipinos will only

widen the gulf between them and the Americans and retard the internal development of the country; and that the only policy that can be wisely pursued is promptly to give the Filipinos their independence. But the unfortunate element in the legislative situation is that the choice lies between the Philippine Bill literally as it passed the Senate and perhaps no independence at all. The Philippine Bill as amended was passed over the head of the Chairman of the Senate Committee on the Philippines and any change in it which will require a conference between the two Houses may endanger its final passage. It is in effect a conglomeration of contradictory provisions. As reported by Senator Hitchcock, it may be said to be a measure giving the Filipinos a restricted autonomy to try to what extent is their capacity for self-government. Their hands and actions are, to a great extent, to be tied. Certain work such as sanitation, education, and the care of the "wild people," is to be presumably under the control of an American Vice-Governor, who is to be appointed by the President and is to hold the portfolio of Secretary of Public Instruction. The Director of Civil Service is also to be appointed by the President. The indebtedness of the Government is to be limited to seventeen million dollars. Some laws cannot take effect without the sanction of the President. The salaries of the jus-

tices of the Supreme Court are fixed and cannot be changed by the Philippine Legislature. On the floor of the Senate another provision which would embarrass the Philippine Government was adopted in the amendment offered by Senator Gronna prohibiting the sale or manufacture of alcoholic drinks and penalizing such sale or manufacture. This amendment was uncalled for since the Filipinos are a very temperate people, while the proposal would take from the revenues of the Philippine Government about a million pesos every year. In addition to all these restrictions is included a provision which would make the Philippines independent within four years. How many difficulties the Filipinos must meet in actually preparing their country for independence within so brief a period of transition!

Yet, despite all these handicaps and restrictions and with all the impending dangers that beset the life of a small nation in a turbulent world, the Filipino people earnestly hope and pray for the earliest conversion into law of the Senate Philippine Bill. Nothing short of such a measure will fully satisfy them. Let not this feeling be taken as a sign of ingratitude for all America has done for the Islands.

Once this act of justice is accomplished and the Philippine Republic is admitted in the family

of nations, she will be in a position to show her boundless gratitude to America. There are no honorable privileges and concessions that she would not be willing to give. She would be only too glad to have the guidance of America's advice and maturer experience. She would continue to develop the splendid institutions built by pioneer Americans in the Islands. She would continue educating her sons in the English tongue for it is by the peoples using that vehicle of expression that the happiest commonwealths have been built. She would then be able to entertain the truest friendship for America; for only on the basis of freedom and equality can true friendship exist.

APPENDICES

APPENDIX A

TREATY OF PEACE BETWEEN THE UNITED STATES AND SPAIN

[Senate Document No. 62, part 1, Fifty-fifth Congress, third session. Message from the President of the United States, transmitting a treaty of peace between the United States and Spain, signed at the city of Paris on December 10, 1898. January 4, 1899.— Read; treaty read the first time and referred to the Committee on Foreign Relations, and, together with the message and accompanying papers, ordered to be printed in confidence for the use of the Senate. January 11, 1899.— Injunction of secrecy removed. January 13, 1899.— Ordered printed.]

To the Senate of the United States:

I transmit herewith, with a view to its ratification, a treaty of peace between the United States and Spain, signed at the city of Paris on December 10, 1898, together with the protocols and papers indicated in the list accompanying the report of the Secretary of State.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, January 4, 1899.

To the President:

The undersigned, Secretary of State, has the honor to lay before the President, with a view to its submission to the Senate if deemed proper, a treaty of peace con-

cluded at Paris on December 10, 1898, between the United States and Spain.

Accompanying the treaty are the protocols of the conferences of the Peace Commission at Paris, together with copies of statements made before the United States commissioners, and other papers indicated in the inclosed list.

Respectfully submitted.

JOHN HAY.

DEPARTMENT OF STATE,
Washington, January 3, 1899.

The United States of America and Her Majesty the Queen Regent of Spain, in the name of her august son Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as plenipotentiaries:

The President of the United States,

William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States;

And Her Majesty the Queen Regent of Spain,

Don Eugenio Montero Ríos, president of the Senate; Don Buenaventura de Abarzuza, senator of the Kingdom and ex-minister of the Crown; Don José de Garnica, deputy to the Cortes and associate justice of the Supreme Court; Don Wenceslao Ramirez de Villa-Urrutia, envoy extraordinary and minister plenipotentiary at Brussels; and Don Rafael Cereo, general of division;

Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and

proper form, have, after discussion of the matters before them, agreed upon the following articles:

ARTICLE I

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the Island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

ARTICLE II

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.

ARTICLE III

Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line:

A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118th) to the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes (4° 45′) north latitude, thence along

the parallel of four degrees and forty-five minutes (4° 45′) north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35′) east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35′) east of Greenwich to the parallel of latitude seven degrees and forty minutes (7° 40′) north, thence along the parallel of latitude of seven degrees and forty minutes (7° 40′) north to its intersection with the one hundred and sixteenth (116th) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10th) degree parallel of north latitude with the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars ($20,000,000) within three months after the exchange of the ratifications of the present treaty.

ARTICLE IV

The United States will, for the term of ten years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

ARTICLE V

The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture

of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the Island of Guam, on terms similar to those agreed upon by the commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colors, uncaptured war vessels, small arms, guns of all calibers, with their carriages and accessories, powder, ammunition, live stock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defenses, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the meantime, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

Article VI

Spain will, upon the signature of the present treaty, release all prisoners of war and all persons detained or imprisoned for political offenses in connection with the insurrections in Cuba and the Philippines and the war with the United States.

Reciprocally, the United States will release all persons made prisoners of war by the American forces and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will, at its own cost, return to Spain and the Government of Spain will, at its own cost, return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

Article VII

The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government or of its citizens or subjects against the other Government that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

Article VIII

In conformity with the provisions of Articles I, II, and III of this treaty, Spain relinquishes in Cuba and cedes in Porto Rico and other islands in the West Indies, in the Island of Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways, and other immovable property

which, in conformity with law, belong to the public domain and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, can not in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills, and other instruments forming part of notarial protocols or files, or which may be con-

tained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

Article IX

Spanish subjects, natives of the peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds, and they shall also have the right to carry on their industry, commerce, and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Article X

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

ARTICLE XI

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

ARTICLE XII

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

1. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

2. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.

3. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but,

such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

Article XIII

The rights of property secured by copyrights and patents acquired by Spaniards in the Island of Cuba and in Porto Rico, the Philippines, and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary, and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

Article XIV

Spain will have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

Article XV

The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels not engaged in the coastwide trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

ARTICLE XVI

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of is occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the Island to assume the same obligations.

ARTICLE XVII

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date thereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the tenth day of December, in the year of our Lord one thousand eight hundred and ninety eight.

[SEAL] WILLIAM R. DAY
[SEAL] CUSHMAN K. DAVIS
[SEAL] WILLIAM P. FRYE
[SEAL] GEO. GRAY
[SEAL] WHITELAW REID
[SEAL] EUGENIO MONTERO RIOS
[SEAL] B. DE ABARZUZA
[SEAL] J. DE GARNICA
[SEAL] W R DE VILLA URRUTIA
[SEAL] RAFAEL CERERO . . . . . .

APPENDIX B

PRESIDENT McKINLEY'S INSTRUCTIONS TO THE TAFT COMMISSION.

WAR DEPARTMENT,
WASHINGTON, April 7, 1900.

Sir: I transmit to you herewith the instructions of the President for the guidance of yourself and your associates as Commissioners to the Philippine Islands.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. WILLIAM H. TAFT,
President Board of Commissioners
to the Philippine Islands.

EXECUTIVE MANSION, April 7, 1900.

The SECRETARY OF WAR,
Washington.

SIR: In the message transmitted to the Congress on the 5th of December, 1899, I said, speaking of the Philippine Islands: "As long as the insurrection continues the military arm must necessarily be supreme. But there is no reason why steps should not be taken from time to time to inaugurate governments essentially popular in their form as fast as territory is held and controlled by our troops. To this end I am considering the advisability of the return of the Commission, or such of the members

thereof as can be secured, to aid the existing authorities and facilitate this work throughout the Islands."

To give effect to the intention thus expressed I have appointed Hon. William H. Taft, of Ohio; Prof. Dean C. Worcester, of Michigan; Hon. Luke E. Wright, of Tennessee; Hon. Henry C. Ide, of Vermont, and Prof. Bernard Moses, of California, commissioners to the Philippine Islands to continue and perfect the work of organizing and establishing civil government already commenced by the military authorities, subject in all respects to any laws which Congress may hereafter enact.

The commissioners named will meet and act as a board, and the Hon. William H. Taft is designated as president of the board. It is probable that the transfer of authority from military commanders to civil officers will be gradual and will occupy a considerable period. Its successful accomplishment and the maintenance of peace and order in the meantime will require the most perfect cooperation between the civil and military authorities in the Islands, and both should be directed during the transition period by the same executive department. The Commission will therfore report to the Secretary of War, and all their action will be subject to your approval and control.

You will instruct the Commission to proceed to the city of Manila, where they will make their principal office, and to communicate with the military governor of the Philippine Islands, whom you will at the same time direct to render to them every assistance within his power in the performance of their duties. Without hampering them by too specific instructions, they should in general be enjoined, after making themselves familiar with the con-

ditions and needs of the country, to devote their attention in the first instance to the establisment of municipal governments, in which the natives of the islands, both in the cities and in the rural communities, shall be afforded the opportunity to manage their own local affairs to the fullest extent of which they are capable, and subject to the least degree of supervision and control which a careful study of their capacities and observations of the workings of native control show to be consistent with the maintenance of law, order, and loyalty.

The next subject in order of importance should be the organization of government in the larger administrative divisions corresponding to counties, departments, or provinces, in which the common interests of many or several municipalities falling within the same tribal lines, or the same natural geographical limits, may best be subserved by a common administration. Whenever the Commission is of the opinion that the condition of affairs in the Islands is such that the central administration may safely be transferred from military to civil control, they will report that conclusion to you, with their recommendations as to the form of central government to be established for the purpose of taking over the control.

Beginning with the 1st day of September, 1900, the authority to exercise, subject to my approval, through the Secretary of War, that part of the power of government in the Philippine Islands which is of a legislative nature is to be transferred from the military governor of the Islands to this Commission, to be thereafter exercised by them in the place and stead of the military governor, under such rules and regulations as you shall prescribe, until the establishment of the civil central govern-

ment for the Islands contemplated in the last foregoing paragraph, or until Congress shall otherwise provide. Exercise of this legislative authority will include the making of rules and orders, having the effect of law, for the raising of revenue by taxes, customs duties, and imposts; the appropriation and expenditure of public funds of the Islands; the establishment of an educational system throughout the Islands; the establishment of a system to secure an efficient civil service; the organization and establishment of courts; the organization and establishment of municipal and departmental governments, and all other matters of a civil nature for which the military governor is now competent to provide by rules or orders of a legislative character.

The Commission will also have power during the same period to appoint to office such officers under the judicial, educational, and civil-service systems and in the municipal and departmental governments as shall be provided for. Until the complete transfer of control the military governor will remain the chief executive head of the government of the islands, and will exercise the executive authority now possessed by him and not herein expressly assigned to the commission, subject, however, to the rules and orders enacted by the Commission in the exercise of the legislative powers conferred upon them. In the meantime the municipal and departmental governments will continue to report to the military governor and be subject to his administrative supervision and control, under your direction, but that supervision and control will be confined within the narrowest limits consistent with the requirement that the powers of government in the municipalities and departments shall be honestly and

effectively exercised and that law and order and individual freedom shall be maintained.

All legislative rules and orders, establishments of government, and appointments to office by the commission will take effect immediately, or at such times as they shall designate, subject to your approval and action upon the coming in of the Commission's reports, which are to be made from time to time as their action is taken. Wherever civil governments are constituted under the direction of the Commission, such military posts, garrisons, and forces will be continued for the suppression of insurrection and brigandage, and the maintenance of law and order as the military commander shall deem requisite, and the military forces shall be at all times subject under his orders to the call of the civil authorities for the maintenance of law and order and the enforcement of their authority.

In the establishment of municipal governments the Commission will take as the basis of their work the governments established by the military governor under his order of August 8, 1899, and under the report of the board constituted by the military governor by his order of January 29, 1900, to formulate and report a plan of municipal government, of which his honor Cayetano Arellano, president of the audiencia, was chairman, and they will give to the conclusions of that board the weight and consideration which the high character and distinguished abilities of its members justify.

In the constitution of departmental or provincial governments, they will give especial attention to the existing government of the island of Negros, constituted, with the approval of the people of that island, under the order of

the military governor of July 22, 1899, and after verifying, so far as may be practicable, the reports of the successful working of that government, they will be guided by the experience thus acquired, so far as it may be applicable to the condition existing in other portions of the Philippines. They will avail themselves to the fullest degree practicable of the conclusions reached by the previous Commission to the Philippines.

In the distribution of powers among the governments organized by the Commission, the presumption is always to be in favor of the smaller subdivision, so that all the powers which can properly be exercised by the municipal government shall be vested in that government, and all the powers of a more general character which can be exercised by the departmental government shall be vested in that government, and so that in the governmental system, which is the result of the process, the central government of the Islands, following the example of the distribution of the powers between the States and the National Government of the United States, shall have no direct administration except of matters of purely general concern, and shall have only such supervision and control over local governments as may be necessary to secure and enforce faithful and efficient administration by local officers.

The many different degrees of civilization and varieties of custom and capacity among the people of the different islands preclude very definite instruction as to the part which the people shall take in the selection of their own officers; but these general rules are to be observed: That in all cases the municipal officers, who administer the local affairs of the people, are to be selected by the people,

and that wherever officers of more extended jurisdiction are to be selected in any way, natives of the Islands are to be preferred, and if they can be found competent and willing to perform the duties, they are to receive the offices in preference to any others.

It will be necessary to fill some offices for the present with Americans, which, after a time, may well be filled by natives of the Islands. As soon as practicable a system for ascertaining the merit and fitness of candidates for civil office should be put in force. An indispensable qualification for all offices and positions of trust and authority in the Islands must be absolute and unconditional loyalty to the United States, and absolute and unhampered authority and power to remove and punish any officer deviating from that standard must at all times be retained in the hands of the central authority of the Islands.

In all the forms of government and administrative provisions which they are authorized to prescribe, the Commission should bear in mind that the government which they are establishing is designed not for our satisfaction, or for the expression of our theoretical views, but for the happiness, peace, and prosperity of the people of the Philippine Islands, and the measures adopted should be made to conform to their customs, their habits, and even their prejudices, to the fullest extent consistent with the accomplishment of the indispensable requisites of just and effective government.

At the same time the Commission should bear in mind, and the people of the Islands should be made plainly to understand, that there are certain great principles of government which have been made the basis of our govern-

mental system which we deem essential to the rule of law and the maintenance of individual freedom, and of which they have, unfortunately, been denied the experience possessed by us; that there are also certain practical rules of government which we have found to be essential to the preservation of these great principles of liberty and law, and that these principles and these rules of government must be established and maintained in their islands for the sake of their liberty and happiness, however much they may conflict with the customs or laws of procedure with which they are familiar.

It is evident that the most enlightened thought of the Philippine Islands fully appreciates the importance of these principles and rules, and they will inevitably within a short time command universal assent. Upon every division and branch of the Government of the Philippines, therefore, must be imposed these inviolable rules:

That no person shall be deprived of life, liberty, or property without due process of law; that private property shall not be taken for public use without just compensation; that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense; that excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted; that no person shall be put twice in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself; that the right to be secure against unreasonable searches and seizures shall not be violated;

that neither slavery nor involuntary servitude shall exist except as a punishment for crime; that no bill of attainder, or ex-post-facto law shall be passed; that no law shall be passed abridging the freedom of speech or of the press, or the rights of the people to peaceably assemble and petition the Government for a redress of grievances; that no law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed.

It will be the duty of the Commission to make a thorough investigation into the titles to the large tracts of land held or claimed by individuals or by religious orders; into the justice of the claims and complaints made against such landholders by the people of the Island or any part of the people, and to seek by wise and peaceable measures a just settlement of the controversies and redress of wrongs which have caused strife and bloodshed in the past. In the performance of this duty the Commission is enjoined to see that no injustice is done; to have regard for substantial rights and equity, disregarding technicalities so far as substantial right permits, and to observe the following rules:

That the provision of the treaty of Paris, pledging the United States to the protection of all rights of property in the Islands, and as well the principle of our own Government which prohibits the taking of private property without due process of law, shall not be violated; that the welfare of the people of the Islands, which should be a paramount consideration, shall be attained consistently with this rule of property right; that if it becomes nec-

essary for the public interest of the people of the Islands to dispose of claims to property which the Commission finds to be not lawfully acquired and held disposition shall be made thereof by due legal procedure, in which there shall be full opportunity for fair and impartial hearing and judgment; that if the same public interests require the extinguishment of property rights lawfully acquired and held due compensation shall be made out of the public treasury therefor; that no form of religion and no minister of religion shall be forced upon any community or upon any citizen of the Islands; that upon the other hand no minister of religion shall be interfered with or molested in following his calling, and that the separation between state and church shall be real, entire, and absolute.

It will be the duty of the Commission to promote and extend, and, as they find occasion, to improve, the system of education already inaugurated by the military authorities. In doing this they should regard as of first importance the extension of a system of primary education which shall be free to all, and which shall tend to fit the people for the duties of citizenship and for the ordinary avocations of a civilized community. This instruction should be given in the first instance in every part of the Islands in the language of the people. In view of the great number of languages spoken by the different tribes, it is especially important to the prosperity of the Islands that a common medium of communication may be established, and it is obviously desirable that this medium should be the English language. Especial attention should be at once given to affording full opportunity to all the people of the Islands to acquire the use of the English language.

It may be well that the main changes which should be made in the system of taxation and in the body of the laws under which the people are governed, except such changes as have already been made by the military government, should be relegated to the civil government which is to be established under the auspices of the Commission. It will, however, be the duty of the Commission to inquire diligently as to whether there are any further changes which ought not to be delayed; and if so, they are authorized to make such changes, subject to your approval. In doing so they are to bear in mind that taxes which tend to penalize or repress industry and enterprise are to be avoided; that provisions for taxation should be simple, so that they may be understood by the people; that they should affect the fewest practicable subjects of taxation which will serve for the general distribution of the burden.

The main body of the laws which regulate the rights and obligations of the people should be maintained with as little interference as possible. Changes made should be mainly in procedure, and in the criminal laws to secure speedy and impartial trials, and at the same time effective administration and respect for individual rights.

In dealing with the uncivilized tribes of the Islands the Commission should adopt the same course followed by Congress in permitting the tribes of our North American Indians to maintain their tribal organization and government, and under which many of those tribes are now living in peace and contentment, surrounded by a civilization to which they are unable or unwilling to conform. Such tribal governments should, however, be subjected to wise and firm regulation; and, without undue or petty

interference, constant and active effort should be exercised to prevent barbarous practices and introduce civilized customs.

Upon all officers and employees of the United States, both civil and military, should be impressed a sense of the duty to observe not merely the material but the personal and social rights of the people of the Islands, and to treat them with the same courtesy and respect for their personal dignity which the people of the United States are accustomed to require from each other.

The articles of capitulation of the city of Manila on the 13th of August, 1898, concluded with these words:

"This city, its inhabitants, its churches and religious worship, its educational establishments, and its private property of all descriptions, are placed under the special safeguard of the faith and honor of the American army."

I believe that this pledge has been faithfully kept. As high and sacred an obligation rests upon the Government of the United States to give protection for property and life, civil and religious freedom, and wise, firm, and unselfish guidance in the paths of peace and prosperity to all the people of the Philippine Islands. I charge this Commission to labor for the full performance of this obligation, which concerns the honor and conscience of their country, in the firm hope that through their labors all the inhabitants of the Philippine Islands may come to look back with gratitude to the day when God gave victory to American arms at Manila and set their land under the sovereignty and the protection of the people of the United States. WILLIAM MCKINLEY.

The SECRETARY OF WAR.

Washington, D. C.

APPENDIX C

ORGANIC ACT OF THE PHILIPPINE ISLANDS

PUBLIC — No. 235.

An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the President of the United States in creating the Philippine Commission[1] and authorizing said Commission to exercise the powers of government to the extent and in the manner and form and subject to the regulation and control set forth in the instructions of the President to the Philippine Commission, dated April seventh, nineteen hundred, and in creating the offices of civil governor[2] and vice-governor of the Philippine Islands, and authorizing said civil governor and vice-governor to exercise the powers of government to the extent and in the manner and form set forth in the Executive order dated June twenty-first, nineteen hundred and one, and in establishing four executive departments of government in said islands as set forth in

[1] Membership of Philippine Commission increased to nine by act of Congress approved May 11, 1908. See p. 52.

[2] Designation changed to Governor General by act of Congress approved February 6, 1905, sec. 8. See p. 62.

the Act of the Philippine Commission, entitled "An Act providing an organization for the departments of the interior, of commerce and police, of finance and justice, and of public instruction," enacted September sixth, nineteen hundred and one, is hereby approved, ratified, and confirmed, and until otherwise provided by law the said islands shall continue to be governed as thereby and herein provided, and all laws passed hereafter by the Philippine Commission shall have an enacting clause as follows: "By authority of the United States be it enacted by the Philippine Commission." The provisions of section eighteen hundred and ninety one of the Revised Statutes of eighteen hundred and seventy eight shall not apply to the Philippine Islands.

Future appointments of civil governor, vice-governor, members of said commission, and heads of executive departments shall be made by the President, by and with the advice and consent of the Senate.

SEC. 2.[3] That the action of the President of the United States heretofore taken by virtue of the authority vested in him as Commander in Chief of the Army and Navy, as set forth in his order of July twelfth, eighteen hundred and ninety eight, whereby a tariff of duties and taxes as set forth by said order was to be levied and collected at all ports and places in the Philippine Islands upon passing into the occupation and possession of the forces of the

[3] Sec. 2 has now ceased to be a live provision; "the tariff of duties and taxes" being fixed by the act of August 5, 1909, "to raise revenue for the Philippine Islands, and other purposes." (See also Act of Congress of June 30, 1906, p. 52.)

Respecting trade between the United States and the Philippine Islands, the Philippine tariff act of August 5, 1909, was further modified in some particulars by Sec. IV (c) of the United States tariff act of October 3, 1913.

United States, together with the subsequent amendments of said order, are hereby approved, ratified, and confirmed, and the actions of the authorities of the government of the Philippine Islands, taken in accordance with the provisions of said order and subsequent amendments, are hereby approved: *Provided,* That nothing contained in this section shall be held to amend or repeal an Act entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two.

SEC. 3. That the President of the United States, during such time as and whenever the sovereignty and authority of the United States encounter armed resistance in the Philippine Islands, until otherwise provided by Congress, shall continue to regulate and control commercial intercourse with and within said islands by such general rules and regulations as he, in his discretion, may deem most conducive to the public interests and the general welfare.

SEC. 4 (*as amended by Act of Congress of March 23, 1912*). That all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety nine, and then resided in said Islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace [4] between the United States and Spain

[4] Article IX of the Treaty of Peace of December 10, 1898, and Protocol of March 29, 1900.

signed at Paris December tenth, eighteen hundred and ninety eight: *Provided,* That the Philippine Legislature is hereby authorized to provide by law for the acquisition of Philippine citizenship by those natives of the Philippine Islands who do not come within the foregoing provisions, the natives of other insular possessions of the United States, and such other persons residing in the Philippine Islands who could become citizens of the United States under the laws of the United States if residing therein.

SEC. 5. That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

That no person shall be held to answer for a criminal offense without due process of law; and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

That all persons shall before conviction be bailable by sufficient sureties, except for capital offenses.

That no law impairing the obligation of contracts shall be enacted.

That no person shall be imprisoned for debt.

That the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion, insurrec-

tion, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the governor, with the approval of the Philippine Commission, wherever during such period the necessity for such suspension shall exist.

That no ex post facto law or bill of attainder shall be enacted.

That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in said islands, shall, without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign State.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

That the right to be secure against unreasonable searches and seizures shall not be violated.

That neither slavery, nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said islands.

That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.

That no money shall be paid out of the treasury except in pursuance of an appropriation by law.

That the rule of taxation in said islands shall be uniform.

That no private or local bill which may be enacted into law shall embrace more than one subject, and that subject shall be expressed in the title of the bill.

That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

That all money collected on any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury and paid out for such purpose only.

SEC. 6. That whenever the existing insurrection in the Philippine Islands shall have ceased and a condition of general and complete peace[5] shall have been established therein and the fact shall be certified to the President by the Philippine Commission, the President, upon being satisfied thereof, shall order a census[6] of the Philippine Islands to be taken by said Philippine Commission; such census in its inquiries relating to the population shall take and make so far as practicable full report for all the inhabitants, of name, age, sex, race, or tribe, whether native or foreign born, literacy in Spanish, native dialect or language, or in English, school attendance, ownership of homes, industrial and social statistics, and such other information separately for

[5] See Proclamation of President, July 4, 1902 (amnesty) as to peace.

[6] Report of the Philippine Commission for 1907, Vol. I, pp. 207–214, gives certificate of Philippine Commission, Order of the President to take census, proclamations of Governor General concerning taking of census, convening of Philippine Assembly, etc.

each island, each province, and municipality, or other civil division, as the President and said Commission may deem necessary: *Provided,* That the President may, upon the request of said Commission, in his discretion, employ the service of the Census Bureau in compiling and promulgating the statistical information above provided for, and may commit to such bureau any part or portion of such labor as to him may seem wise.

SEC. 7. That two years after the completion and publication of the census, in case such condition of general and complete peace with recognition of the authority of the United States shall have continued in the territory of said islands not inhabited by Moros or other non-Christian tribes and such facts shall have been certified to the President by the Philippine Commission, the President upon being satisfied thereof shall direct said commission to call, and the Commision shall call, a general election [7] for the choice of delegates to a popular assembly of the people of said territory in the Philippine Islands, which shall be known as the Philippine Assembly. After said assembly shall have convened and organized, all the legislative power heretofore conferred on the Philippine Commission in all that part of said islands not inhabited by Moros or other non-Christian tribes shall be vested in a legislature consisting of two houses — The Philippine Commission and the Philippine Assembly. Said assembly shall consist of not less than fifty nor more than one hundred members, to be apportioned by said commission among the provinces as nearly as practicable according to population: *Provided,* That no province shall have less than one member: *And pro-*

[7] Act No. 2045, sec. 1, of Philippine Legislature amends.

vided further, That provinces entitled by population to more than one member may be divided into such convenient districts as the said Commission may deem best.

Public notice of such division shall be given at least ninety days prior to such election, and the election shall be held under rules and regulations to be prescribed by law. The qualification of electors in such election shall be the same as is now provided by law in case of electors in municipal elections. The members of assembly shall hold office for two years from the first day of January [8] next following their election, and their successors shall be chosen by the people every second year thereafter. No person shall be eligible [9] to such election who is not a qualified elector of the election district in which he may be chosen, owing allegiance to the United States, and twenty-five years of age.

(*As amended by Act of Congress of February 27, 1909.*) The legislature shall hold annual sessions, commencing on the first Monday of February [10] in each year and continuing not exceeding ninety days thereafter (Sundays and holidays not included) and the first meeting of the legislature shall be held upon the call of the governor within ninety days after the first election: *Provided,* That the Philippine Legislature after its first meeting as herein provided may by law fix a date other than the first Monday of February in each year for the commencement of its annual sessions: [10] *And provided further,* That if at the termination of any session the

[8] See Act of Congress of February 15, 1911, amending sec. 7, p. 53.

[9] Act No. 2045, sec. 7, of Philippine Legislature amends.

[10] Act No. 2114, of Philippine Legislature changes date to October 16.

appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid. [33 Stat. L., 659.]

The legislature may be called in special session at any time by the civil governor for general legislation, or for action on such specific subjects as he may designate. No special session shall continue longer than thirty days, exclusive of Sundays.

The assembly shall be the judge of the elections, returns, and qualifications of its members. A majority shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members. It shall choose its speaker and other officers, and the salaries of its members and officers shall be fixed by law. It may determine the rule of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds expel a member. It shall keep a journal of its proceedings, which shall be published, and the yeas and nays of the members on any question shall, on the demand of one fifth of those present, be entered on the journal.

SEC. 8. That at the same time with the first meeting of the Philippine legislature, and biennially thereafter, there shall be chosen by said legislature, each house voting separately, two Resident Commissioners [11] to the United States, who shall be entitled to an official recog-

[11] For change of tenure of office to four years, salary, ex-

nition as such by all departments upon presentation to the President of a certificate of election by the civil governor of said islands, and each of whom shall be entitled to a salary payable monthly by the United States at the rate of five thousand dollars per annum, and two thousand dollars additional to cover all expenses: *Provided,* That no person shall be eligible to such election who is not a qualified elector of said islands, owing allegiance to the United States, and who is not thirty years of age.

SEC. 9. That the Supreme Court [12] and the courts of first instance of the Philippine Islands shall possess and exercise jurisdiction as heretofore provided and such additional jurisdiction as shall hereafter be prescribed by the Government of said islands, subject to the power of said Government to change the practice and method of procedure. The municipal courts of said islands shall possess and exercise jurisdiction as heretofore provided by the Philippine Commission, subject in all matters to such alteration and amendments as may be hereafter enacted by law; and the chief justice and associate justices of the Supreme Court shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and shall receive the compensation heretofore

penses, etc., act of Congress of February 15, 1911, see sec. 2, p. 53.

[12] For pay, vacancies, and traveling expenses of justices of Supreme Court, act of Congress of February 6, 1905, sec. 7, see p. 62.

Supreme Court given original jurisdiction in actions involving railroad construction by act of Congress of February 6, 1905, sec. 4, par. 13, see p. 61.

Terms of court fixed by joint resolution, April 9, 1910, see p. 56.

prescribed by the Commission until otherwise provided by Congress. The judges of the court of first instance shall be appointed by the civil governor, by and with the advice and consent of the Philippine Commission: *Provided*, That the admiralty jurisdiction of the Supreme Court and courts of first instance shall not be changed except by act of Congress.

SEC. 10. That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the supreme court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right, or privilege of the United States is involved, or in causes in which the value in controversy exceeds twenty-five thousand dollars, or in which the title or possession of real estate exceeding in value the sum of twenty-five thousand dollars, to be ascertain by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved, in the same manner, under the same regulations, and by the same procedure, as far as applicable, as the final judgments and decrees of the circuit courts of the United States.

SEC. 11. That the Government of the Philippine Islands is hereby authorized to provide for the needs of commerce by improving the harbors and navigable waters of said islands and to construct and maintain in said navigable waters and upon the shore adjacent thereto

bonded warehouses, wharves, piers, light-houses, signal and life-saving stations, buoys, and like instruments of commerce, and to adopt and enforce regulations in regard thereto, including bonded warehouses wherein articles not intended to be imported into said islands nor mingled with the property therein, but brought into a port of said islands for reshipment to another country, may be deposited in bond and reshipped to another country without the payment of customs duties or charges.

SEC. 12. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, signed December tenth, eighteen hundred and ninety eight, except such land or other property as shall be designated by the President of the United States for military and other reservations of the Government of the United States, are hereby placed under the control of the Government of said Islands to be administered for the benefit of the inhabitants thereof, except as provided in this act.

SEC. 13. That the Government of the Philippine Islands, subject to the provisions of this act and except as herein provided, shall classify according to its agricultural character and productiveness, and shall immediately make rules and regulations for the lease, sale, or other disposition of the public lands other than timber or mineral lands, but such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President and when approved by the President they shall be submitted by him to Congress at the beginning of the next ensuing session

thereof and unless disapproved or amended by Congress at said session they shall at the close of such period have the force and effect of law in the Philippine Islands: *Provided,* That a single homestead entry shall not exceed sixteen hectares in extent.

SEC. 14. That the Government of the Philippine Islands is hereby authorized and empowered to enact rules and regulations [13] and to prescribe terms and conditions to enable persons to perfect their title to public lands in said islands, who, prior to the transfer of sovereignty from Spain to the United States, had fulfilled all or some of the conditions required by the Spanish laws and royal decrees of the Kingdom of Spain for the acquisition of legal title thereto yet failed to secure conveyance of title; and the Philippine Commission is authorized to issue patents, without compensation, to any native of said islands, conveying title to any tract of land not more than sixteen hectares in extent, which were public lands and had been actually occupied by such native or his ancestors prior to and on the thirteenth of August, eighteen hundred and ninety eight.

SEC. 15. That the Government of the Philippine Islands is hereby authorized and empowered, on such terms as it may prescribe, by general legislation, to provide for the granting or sale and conveyance to actual occupants and settlers and other citizens of said islands such parts and portions of the public domain, other than timber and mineral lands of the United States in said islands as it may deem wise, not exceeding sixteen hectares to any one person, and for the sale and conveyance of not more than one thousand and twenty-four hectares to any cor-

[13] See rules and regulations issued by Philippine Commission.

poration or association of persons: *Provided:* That the grant or sale of such lands, whether the purchase price be paid at once or in partial payments, shall be conditioned upon actual and continued occupancy, improvement, and cultivation of the premises sold for a period of not less than five years, during which time the purchaser or grantee can not alienate or encumber said land or the title thereto; but such restriction shall not apply to transfers of rights and title of inheritance under the laws for the distribution of the estates of decedents.

SEC. 16. That in granting or selling any part of the public domain under the provisions of the last preceding section, preference in all cases shall be given to actual occupants and settlers; and such public lands of the United States in the actual possession or occupancy of any native of the Philippine Islands shall not be sold by said Government to any other person without the consent thereto of said prior occupant or settler first had and obtained: *Provided,* That the prior right hereby secured to an occupant of land, who can show no other proof of title than possession, shall not apply to more than sixteen hectares in one tract.

SEC. 17. That timber, trees, forests, and forest products on lands leased or demised by the Government of the Philippine Islands under the provisions of this act shall not be cut, destroyed, removed, or appropriated except by special permission of said Government and under such regulations as it may prescribe.

All moneys obtained from lease or sale of any portion of the public domain or from licenses to cut timber by the Government of the Philippine Islands shall be cov-

ered into the insular treasury and be subject only to appropriation for insular purposes according to law.

SEC. 18. That the forest laws and regulations now in force in the Philippine Islands, with such modifications and amendments as may be made by the Government of said islands, are hereby continued in force, and no timber lands forming part of the public domain shall be sold, leased, or entered until the Government of said islands, upon the certification of the forestry bureau that said lands are more valuable for agriculture than for forest uses, shall declare such lands so certified to be agricultural in character: *Provided*, That the said Government shall have the right and is hereby empowered to issue licenses to cut, harvest, or collect timber or other forest products on reserved or unreserved public lands in said islands in accordance with the forest laws and regulations hereintofore mentioned and under the provisions of this act, and the said Government may lease land to any person or persons holding such licenses, sufficient for a mill site, not to exceed four hectares in extent, and may grant rights of way to enable such person or persons to get access to the lands to which such licenses apply.

SEC. 19. That the beneficial use shall be the basis, the measure, and the limit of all rights to water in said islands, and the Government of said islands is hereby authorized to make such rules and regulations [14] for the use of water, and to make such reservations of public lands for the protection of the water supply, and for other

[14] For these rules and regulations, see Act No. 2152 of Philippine Legislature.

public purposes not in conflict with the provisions of this act, as it may deem best for the public good.

MINERAL LANDS

SEC. 20. That in all cases public lands in the Philippine Islands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

SEC. 21. That all valuable mineral deposits in public lands in the Philippine Islands, both surveyed and unsurveyed, are hereby declared to be free and open to exploration, occupation, and purchase, and the land in which they are found to occupation and purchase, by citizens of the United States, or of said islands: *Provided,* That when on any lands of said islands entered and occupied as agricultural lands under the provisions of this act, but not patented, mineral deposits have been found, the working of such mineral deposits is hereby forbidden until the person, association, or corporation who or which has entered and is occupying such lands shall have paid to the Government of said islands such additional sum or sums as will make the total amount paid for the mineral claims or claims in which said deposits are located equal to the amount charged by the Government for the same mineral claims.

SEC. 22 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That mining claims upon land containing veins or lodes of quartz or other rock in place-bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits located after the passage of this act, whether located by one or more persons qualified to locate the same under the preceding section, shall be located in the following manner and under the following

conditions: Any person so qualified desiring to locate a mineral claim shall, subject to the provisions of this act with respect to land which may be used for mining, enter upon the same and locate a plat of ground measuring, where possible, but not exceeding three hundred meters in length by three hundred meters in breadth, in as nearly as possible a rectangular form; that is to say, all angles shall be right angles, except in cases where a boundary line of a previously surveyed claim is adopted as common to both claims, but the lines need not necessarily be meridional. In defining the size of a mineral claim it shall be measured horizontally, irrespective of inequalities of the surface of the ground.

SEC. 23 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That a mineral claim shall be marked by two posts, placed as nearly as possible on the line of the ledge or vein, and the posts shall be numbered one and two, and the distance between posts numbered one and two shall not exceed three hundred meters, the line between posts numbered one and two to be known as the location line; and upon posts numbered one and two shall be written the name given to the mineral claim, the name of the locator, and the date of the location. Upon post numbered one there shall be written, in addition to the foregoing, "Initial post," the approximate compass bearing of post numbered two, and a statement of the number of meters lying to the right and to the left of the line from post numbered one to post numbered two, thus: "Initial post. Direction of post numbered two
meters of this claim lie on the right and
meters on the left of the line from number one to number two post." All the particulars required to be put on

number one and number two posts shall be furnished by the locator to the provincial secretary, or such other officer as by the Philippine Government may be described as mining recorder, in writing, at the time the claim is recorded, and shall form a part of the record of such claim.

SEC. 24 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That when a claim has been located the holder shall immediately mark the line between posts numbered one and two so that it can be distinctly seen. The locator shall also place a post at the point where he has found minerals in place, on which shall be written "Discovery Post": *Provided,* That when the claim is surveyed the surveyor shall be guided by the records of the claim, the sketch plan on the back of the declaration made by the owner when the claim was recorded, posts numbered one and two, and the notice on number one, the initial post.

SEC. 25 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That it shall not be lawful to move number one post, but number two post may be moved by the deputy mineral surveyor when the distance between posts numbered one and two exceeds three hundred meters, in order to place number two post three hundred meters from number one post on the line of location. When the distance between posts numbered one and two is less than three hundred meters, the deputy mineral surveyor shall have no authority to extend the claim beyond number two.

SEC. 26. That the "location line" shall govern the direction of one side of the claim, upon which the survey shall be extended according to this act.

SEC. 27. That the holder of a mineral claim shall be entitled to all minerals which may lie within his claim, but he shall not be entitled to mine outside the boundary lines of his claim continued vertically downward: *Provided,* That this act shall not prejudice the rights of claim owners nor claim holders whose claims have been located under existing laws prior to this act.

SEC. 28. That no mineral claim of the full size shall be recorded without the application being accompanied by an affidavit made by the applicant or some person on his behalf cognizant of the facts — that the legal notices and posts have been put up; that mineral has been found in place on the claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the number one and number two posts shall be set out in full, and as accurate a description as possible of the position of the claim given with reference to some natural object or permanent monuments.

SEC. 29 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That no mineral claim which, at the date of its record, is known by the locator to be less than a full-sized mineral claim, shall be recorded without the word " fraction " being added to the name of the claim, and the application being accompanied by an affidavit or solemn declaration made by the applicant or some person on his behalf cognizant of the facts: That the legal posts and notices have been put up; that mineral has been found in place on the fractional claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set

out the name of the applicant and the date of the location of the claim. The words written on the posts numbered one and two shall be set out in full, and as accurate a description as possible of the position of the claim given. A sketch plan shall be drawn by the applicant on the back of the declaration, showing as near as may be the position of the adjoining mineral claims and the shape and size, expressed in meters, of the claim or fraction desired to be recorded: *Provided,* That the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions of this section shall not be deemed to invalidate such location if, upon the facts, it shall appear that such locator has actually discovered mineral in place on said location and that there has been on his part a bona fide attempt to comply with the provisions of this act, and that the nonobservance of the formalites hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

SEC. 30. That in cases where, from the nature or shape of the ground, it is impossible to mark the location line of the claim as provided by this act then the claim may be marked by placing posts as nearly as possible to the location line, and noting the distance and direction such posts may be from such location line, which distance and direction shall be set out in the record of the claim.

SEC. 31 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That every person locating a mineral claim shall record the same with the provincial secretary, or such other officer as by the Government of the Philippine Islands may be described as mining recorder of

the district within which the same is situate, within thirty days after the location thereof. Such record shall be made in a book to be kept for the purpose in the office of the said provincial secretary or such other officer as by said government described as mining recorder, in which shall be inserted the name of the claim, the name of each locator, the locality of the mine, the direction of the location line, the length in meters, the date of location, and the date of the record. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

SEC. 32. That in case of any dispute as to the location of a mineral claim the title to the claim shall be recognized according to the priority of such location, subject to any question as to the validity of the record itself and subject to the holder having complied with all the terms and conditions of this act.

SEC. 33. That no holder shall be entitled to hold in his, its, or their own name or in the name of any other person, corporation, or association more than one mineral claim on the same vein or lode.

SEC. 34. That a holder may at any time abandon any mineral claim by giving notice, in writing, of such intention to abandon, to the provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder; and from the date of the record of such notice all his interest in such claim shall cease.

SEC. 35. That proof of citizenship under the clauses of this act relating to mineral lands may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of

the affidavit of their authorized agent, made on his own knowledge or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any State or Territory thereof, or of the Philippine Islands, by the filing of a certified copy of their charter or certificate of incorporation.

SEC. 36 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That the United States Philippine Commission or its successors may make regulations, not in conflict with the provisions of this act, governing the location, manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements:

On each claim located after the passage of this act, and until a patent has been issued therefor, not less than two hundred pesos' worth of labor shall be performed or improvements made during each year: *Provided*, That upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coöwners to contribute his proportion of the expenditures required thereby, the coöwners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent coowners personal notice in writing, or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to

be designated by the chief of the Philippine insular bureau of public lands, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication, such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his coöwners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall commence on the first day of January succeeding the date of location of such claim.

SEC. 37 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That a patent for any land claimed and located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this act, may file in the office of the provincial secretary, or such other officer as by the Government of said islands may be described as mining recorder of the province wherein the land claimed is located, an application for a patent, under oath, showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the chief of the Philippine insular bureau of public lands, showing accurately the boundaries of the claim, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of

at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the lands, in the manner following: The provincial secretary, or such other officer as by the Philippine Government may be described as mining recorder, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him designated as nearest to such claim, and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary, or such other officer as by the Philippine Government may be described as mining recorder, a certificate of the chief of the Philippine insular bureau of public lands that one thousand pesos' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary, or such other officer as by the Government of

said islands may be described as mining recorder, at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer, or the collector of internal revenue, of twenty-five pesos per hectare, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this act: *Provided,* That where the claimant for a patent is not a resident of or within the province wherein the land containing the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent where said agent is conversant with the facts sought to be established by said affidavits.

SEC. 38. That applicants for mineral patents, if residing beyond the limits of the province or military department wherein the claim is situated, may make the oath or affidavit required for proof of citizenship before the clerk of any court of record, or before any notary public of any province of the Philippine Islands, or any other official in said islands authorized by law to administer oaths.

SEC. 39 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed

until the controversy shall have been settled or decided by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary, or such other officer as by the Government of the Philippine Islands may be described as mining recorder, together with the certificate of the chief of the Philippine insular bureau of public lands that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, twenty-five pesos per hectare for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary, or such other officer as by said Government may be described as mining recorder, to the secretary of the interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess. The adverse claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse

claimant, if residing or at the time being beyond the limits of the province wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record, or any notary public of any province or military department of the Philippine Islands, or any other officer authorized to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine insular bureau of public lands, whereupon the provincial secretary or such other officer as by the Government of said islands may be described as mining recorder shall certify the proceedings and judgment roll to the secretary of the interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If, in any action brought pursuant to this section, title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the office of the provincial secretary or such other officer as by the Government of said islands may be described as mining recorder or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever.

SEC. 40. That the description of mineral claims upon surveyed lands shall designate the location of the claim

with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands the chief of the Philippine insular bureau of public lands in extending the surveys shall adjust the same to the boundaries of such patented claim according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

SEC. 41. That any person authorized to enter lands under this act may enter and obtain patent to lands that are chiefly valuable for building stone under the provisions of this act relative to placer mineral claims.

SEC. 42. That any person authorized to enter lands under this act may enter and obtain patent to lands containing petroleum or other mineral oils and chiefly valuable therefor under the provisions of this act relative to placer mineral claims.

SEC. 43. That no location of a placer claim shall exceed sixty-four hectares for any association of persons, irrespective of the number of persons composing such association, and no such location shall include more than eight hectares for an individual claimant. Such locations shall conform to the laws of the United States Philippine Commission, or its successors, with reference to public surveys, and nothing in this section contained shall defeat or impair any bona fide ownership of land for agricultural purposes or authorize the sale of the improvements of any bona fide settler to any purchaser.

SEC. 44. That where placer claims are located upon surveyed lands and conform to legal subdivisions, no further survey or plat shall be required, and all placer mining claims located after the date of passage of this

act shall conform as nearly as practicable to the Philippine system of public-land surveys and the regular subdivision of such surveys; but where placer claims can not be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than sixteen hectares shall remain, such fractional portion of agricultural land may be entered by any party qualified by law for homestead purposes.

SEC. 45. That where such person or association, they and their grantors, have held and worked their claims for a period equal to the time prescribed by the statute of limitations of the Philippine Islands, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this act, in the absence of any adverse claim; but nothing in this act shall be deemed to impair any lien which may have attached in any way whatever prior to the issuance of a patent.

SEC. 46. That the chief of the Philippine insular bureau of public lands may appoint competent deputy mineral surveyors to survey mining claims. The expenses of the survey of vein or lode claims and of the survey of placer claims, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any such deputy mineral surveyor to make the survey. The chief of the Philippine insular bureau of public lands shall also have power to establish the maximum charges for surveys and publication of notices under this

act; and in case of excessive charges for publication he may designate any newspaper published in a province where mines are situated, or in Manila, for the publication of mining notices and fix the rates to be charged by such paper; and to the end that the chief of the bureau of public lands may be fully informed on the subject such applicant shall file with the provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder, a sworn statement of all charges and fees paid by such applicant for publication and surveys, and of all fees and money paid the provincial treasurer or the collector of internal revenue, as the case may be, which statement shall be transmitted with the other papers in the case, to the secretary of the interior for the Philippine Islands.

SEC. 47. That all affidavits required to be made under this act may be verified before any officer authorized to administer oaths within the province or military department where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the proper provincial secretary or such other officer as by the Government of the Philippine Islands may be described as mining recorder. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party can not be found, then by publication at least once a week for thirty days in a newspaper to be designated by the provincial secretary or such other officer as by said Government may be described as min-

ing recorder published nearest to the location of such land and in two newspapers published in Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and the provincial secretary or such other officer as by said Government may be described as mining recorder shall require proofs that such notice has been given.

SEC. 48. That where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location of such nonadjacent land shall exceed two hectares, and payment for the same must be made at the same rate as fixed by this act for the superficies of the lode. The owner of a quartz mill or reduction works not owning a mine in connection therewith may also receive a patent for his mill site as provided in this section.

SEC. 49. That as a condition of sale the government of the Philippine Islands may provide rules for working, policing, and sanitation of mines, and rules concerning easements, drainage, water rights, right of way, right of government survey and inspection, and other necessary means to their complete development not inconsistent with the provisions of this act, and those conditions shall be fully expressed in the patent. The Philippine Commission or its successors are hereby further empowered to fix the bonds of deputy mineral surveyors.

SEC. 50. That whenever by priority of possession rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed, but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

SEC. 51. That all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by the preceding section.

SEC. 52. That the Government of the Philippine Islands is authorized to establish land districts and provide for the appointment of the necessary officers wherever they may deem the same necessary for the public convenience, and to further provide that in districts where land offices are established proceedings required by this act to be had before provincial officers shall be had before the proper officers of such land offices.

SEC. 53 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That every person above the age of twenty-one years who is a citizen of the United States or of the Philippine Islands, or who has acquired the right of a native of said islands under and by virtue of the

treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer, have the right to enter any quality of vacant coal lands of said islands, not otherwise appropriated or reserved by competent authority, not exceeding sixty-four hectares to such individual person, or one hundred and twenty-eight hectares to such association upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than fifty pesos per hectare for such lands, where the same shall be situated more than twenty-five kilometers from any completed railroad or available harbor or navigable stream, and not less than one hundred pesos per hectare for such lands as shall be within twenty-five kilometers of such road, harbor, or stream: *Provided,* That such entries shall be taken in squares of sixteen or sixty-four hectares, in conformity with the rules and regulations governing the public-land surveys of the said islands in plotting legal subdivisions.

SEC. 54. That any person or association of persons, severally qualified as above provided, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry under the preceding section, of the mines so opened and improved.

SEC. 55. That all claims under the preceding section must be presented to the proper provincial secretary within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement therefor; and where the improvements shall have been made prior to the expira-

tion of three months from the date of the passage of this act, sixty days from the expiration of such three months shall be allowed for the filing of a declaratory statement; and no sale under the provisions of this act shall be allowed until the expiration of six months from the date of the passage of this act.

SEC. 56. That the three preceding sections shall be held to authorize only one entry by the same person or association of persons; and no association of persons, any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any association which shall have taken the benefit of such section shall enter or hold any other lands under their provisions; and all persons claiming under section fifty eight shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

SEC. 57. That in case of conflicting claims upon coal lands where the improvements shall be commenced after the date of the passage of this act, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the passage of this act, division of the land claimed may be made by legal subdivisions, which shall conform as nearly as practicable with the subdivisions of land provided for in this act, to include as near

as may be the valuable improvements of the respective parties. The Government of the Philippine Islands is authorized to issue all needful rules and regulations for carrying into effect the provisions of this and preceding sections relating to mineral lands.

SEC. 58 (*as amended by Sec. 9, Act of Congress of February 6, 1905*). That whenever it shall be made to appear to the secretary of any province or the commander of any military department in the Philippine Islands that any lands within the province are saline in character, it shall be the duty of said provincial secretary or commander, under the regulations of the Government of the Philippine Islands, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the secretary of the interior for the Philippine Islands; and if upon such testimony the secretary of the interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be offered for sale at the office of the provincial secretary, or such other officer as by the said Government may be described as mining recorder of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by said Government and sold to the highest bidder for cash at a price of not less than six pesos per hectare; and in case such lands fail to sell when so offered, then the same shall be subject to private sale at such office, for cash, at a price not less than six pesos per hectare, in the same manner as other lands in the said islands are sold. All executive proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed

in the English language and one in the Spanish language, at Manila, which shall be designated by said Secretary of the Interior.

SEC. 59. That no act granting lands to provinces, districts, or municipalities to aid in the construction of roads, or for other public purposes, shall be so construed as to embrace mineral lands, which, in all cases, are reserved exclusively, unless otherwise specially provided in the act or acts making the grant.

SEC. 60. That nothing in this act shall be construed to affect the rights of any person, partnership, or corporation having a valid, perfected mining concession granted prior to April eleventh, eighteen hundred and ninety nine, but all such concessions shall be conducted under the provisions of the law in force at the time they were granted, subject at all times to cancelation by reason of illegality in the procedure by which they were obtained, or for failure to comply with the conditions prescribed as requisite to their retention in the laws under which they were granted: *Provided,* That the owner or owners of every such concession shall cause the corners made by its boundaries to be distinctly marked with permanent monuments within six months after this act has been promulgated in the Philippine Islands, and that any concessions the boundaries of which are not so marked within this period shall be free and open to explorations and purchase under the provisions of this act.

SEC. 61. That mining rights on public lands in the Philippine Islands shall, after the passage of this act, be acquired only in accordance with its provisions.

SEC. 62. That all proceedings for the cancelation of perfected Spanish concessions shall be conducted in the

courts of the Philippine Islands having jurisdiction of the subject-matter and of the parties, unless the United States Philippine Commission, or its successors, shall create special tribunals for the determination of such controversies.

AUTHORITY FOR THE PHILIPPINE ISLANDS GOVERNMENT TO PURCHASE LANDS OF RELIGIOUS ORDERS AND OTHERS AND ISSUE BONDS [15] FOR PURCHASE PRICE.

SEC. 63. That the Government of the Philippine Islands is hereby authorized, subject to the limitations and conditions prescribed in this act, to acquire, receive, hold, maintain, and convey title to real and personal property, and may acquire real estate for public uses by the exercise of the right of eminent domain.

SEC. 64. That the powers hereinbefore conferred in section sixty three may also be exercised in respect of any lands, easements, appurtenances, and hereditaments which, on the thirteenth of August, eighteen hundred and ninety eight, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as in the opinion of the Commission injuriously to affect the peace and welfare of the people of the Philippine Islands. And for the purpose of providing funds to acquire the lands mentioned in this section said Government of the Philippine Islands is hereby empowered to incur indebtedness, to borrow money, and to issue, and to sell at not less than par value, in gold coin of the

[15] Bonds exempted from taxation, see secs. 64, 67, and 71 of this act and sec. 1, act of February 6, 1905, pp. 31, 32, 34, and 59.

United States of the present standard value or the equivalent in value in money of said islands, upon such terms and conditions as it may deem best, registered or coupon bonds of said Government for such amount as may be necessary, said bonds to be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding four and a half per centum per annum, payable quarterly, and to be payable at the pleasure of said Government after dates named in said bonds, not less than five nor more than thirty years from the date of their issue, together with interest thereon, in gold coin of the United States of the present standard value or the equivalent in value in money of said islands; and said bonds shall be exempt from the payment of all taxes or duties of said Government, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under state, municipal, or local authority in the United States or the Philippine Islands. The moneys which may be realized or received from the issue and sale of said bonds shall be applied by the Government of the Philippine Islands to the acquisition of the property authorized by this section, and to no other purposes.

SEC. 65. That all lands acquired by virtue of the preceding section shall constitute a part and portion of the public property of the Government of the Philippine Islands, and may be held, sold, and conveyed, or leased temporarily for a period not exceeding three years after their acquisition by said Government on such terms and conditions as it may prescribe, subject to the limitations and conditions provided for in this act: *Provided,* That all deferred payments and the interest thereon shall be

payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued in payment of said lands by the preceding section and said deferred payments shall bear interest at the rate borne by the bonds. All moneys realized or received from sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity. Actual settlers and occupants at the time said lands are acquired by the Government shall have the preference over all others to lease, purchase, or acquire their holdings within such reasonable time as may be determined by said Government.

MUNICIPAL BONDS [16] FOR PUBLIC IMPROVEMENTS.

SEC. 66 (*as amended by Sec. 3, Act of Congress of February 6, 1905*). That for the purpose of providing funds to construct necessary sewer and drainage facilities, to secure a sufficient supply of water and necessary buildings for primary public schools in municipalities, the Government of the Philippine Islands may, where current taxation is inadequate for the purpose, under such limitations, terms, and conditions as it may prescribe, authorize, by appropriate legislation, to be approved by the President of the United States, any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value in gold coin of the United States) registered or coupon

[16] Bonds exempted from taxation, see secs. 64, 67, and 71 of this act and sec. 1, Act of February 6, 1905, pp. 31, 32, 34 and 59.

bonds, in such amount and payable at such time as may be determined to be necessary by the Government of said islands, with interest thereon not to exceed five per centum per annum: *Provided,* That the entire indebtedness of any municipality shall not exceed five per centum of the assessed valuation of the real estate in said municipality, and any obligation in excess of such limit shall be null and void.

SEC. 67. That all municipal bonds shall be in denominations of fifty dollars, or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the Government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the interest thereon, in gold coin of the United States of the present standard value, or its equivalent in value in money of the said islands; and said bonds shall be exempt from the payment of all taxes or duties of the Government of the Philippine Islands, or any local authority therein, or the Government of the United States.

SEC. 68. That all moneys which may be realized or received from the issue and sale of said bonds shall be utilized under authorization of the Government of the Philippine Islands in providing the municipal improvements and betterment which induced the issue and sale of said bonds, and for no other purpose.

SEC. 69. That the Government of the Philippine Islands shall, by the levy and collection of taxes on the municipality, its inhabitants and their property, or by other means, make adequate provision to meet the obli-

gation of the bonds of such municipality, and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided,* That if said bonds or any portion thereof shall be paid out of the funds of the Government of said islands, such municipality shall reimburse said Government for the sum thus paid, and said Government is hereby empowered to collect said sum by the levy and collection of taxes on such municipality.

SEC. 70. That for the purpose of providing funds to construct sewers in the city of Manila and to furnish it with an adequate sewer and drainage system and supply of water the Government of the Philippine Islands, with the approval of the President of the United States first had, is hereby authorized to permit the city of Manila to incur indebtedness, to borrow money, and to issue and sell (at not less than par value in gold coin of the United States), upon such terms and conditions as it may deem best, registered or coupon bonds of the city of Manila to an amount not exceeding four million dollars lawful money of the United States, payable at such time or times as may be determined by said Government, with interest thereon not to exceed five per centum per annum.

SEC. 71. That said coupon or registered bonds shall be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the Government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the interest thereon in gold coin of the United States of the present standard value, or the

equivalent in value in money of the said islands; and said bonds shall be exempt from the payment of all taxes or duties of the Government of the said islands, or of any local authority therein, or of the Government of the United States.

SEC. 72. That all moneys which may be realized or received from the issue and sale of said bonds shall be utilized under authorization of said Government of the Philippine Islands in providing a suitable sewer and drainage system and adequate supply of water for the city of Manila and for no other purpose.

SEC. 73. That the Government of the Philippine Islands shall, by the levy and collection of taxes on the city of Manila, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of said bonds and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided,* That if said bonds or any portion thereof shall be paid out of the funds of the Government of said islands, said city shall reimburse said Government for the sum thus paid, and said Government is hereby empowered to collect said sum by the levy and collection of taxes on said city.

FRANCHISES.[17]

SEC. 74.[18] That the Government of the Philippine Islands may grant franchises, privileges, and concessions, including the authority to exercise the right of eminent domain, for the construction and operation of works of

[17] See secs. 4 and 5, act of February 6, 1905, for authority for railroad concession, pp. 60–62.

[18] See par. 14, sec. 4, act of February 6, 1905, affecting, p. 61.

public utility and service, and may authorize said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property of the Government of said islands, and may adopt rules and regulations under which the provincial and municipal Governments of the Islands may grant the right to use and occupy such public property belonging to said provinces or municipalities: *Provided,* That no private property shall be taken for any purpose under this section without just compensation paid or tendered therefor, and that such authority to take and occupy land shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the franchise is granted, and that no franchise, privilege, or concession shall be granted to any corporation except under the conditions that it shall be subject to amendment, alteration, or repeal by the Congress of the United States, and that lands or rights of use and occupation of lands thus granted shall revert to the Governments by which they were respectively granted upon the termination of the franchises and concessions under which they were granted or upon their revocation or repeal. That all franchises, privileges, or concessions granted under this act shall forbid the issue of stock or bonds except in exchange for actual cash or for property at a fair valuation equal to the par value of the stock or bonds so issued; shall forbid the declaring of stock or bond dividends, and, in the case of public-service corporations, shall provide for the effective regulation of the charges thereof, for the official inspection and regulation of the books and accounts of such corpora-

tions, and for the payment of a reasonable percentage of gross earnings into the treasury of the Philippine Islands or of the province or municipality within which such franchises are granted and exercised: *Provided further,* That it shall be unlawful for any corporation organized under this act, or for any person, company, or corporation receiving any grant, franchise, or concession from the Government of said islands, to use, employ or contract for the labor of persons claimed or alleged to be held in involuntary servitude; and any person, company, or corporation so violating the provisions of this act shall forfeit all charters, grants, franchises, and concessions for doing business in said islands, and in addition shall be deemed guilty of an offense, and shall be punished by a fine of not less than ten thousand dollars.

SEC. 75. That no corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it is created, and every corporation authorized to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed one thousand and twenty-four hectares of land; and it shall be unlawful for any member of a corporation engaged in agriculture or mining and for any corporation organized for any purpose except irrigation to be in any wise interested in any other corporation engaged in agriculture or in mining. Corporations, however, may loan funds upon real-estate security and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations

not organized in the Philippine Islands and doing business therein shall be bound by the provisions of this section so far as they are applicable.

COINAGE.[19]

SEC. 76. That the Government of the Philippine Islands is hereby authorized to establish a mint at the city of Manila, in said islands, for coinage purposes, and the coins hereinafter authorized may be coined at said mint. And the said Government is hereby authorized to enact laws necessary for such establishment: *Provided*, That the laws of the United States relating to mints and coinage, so far as applicable, are hereby extended to the coinage of said islands.

SEC. 77 (*as amended by Sec. 4, Act of Congress of March 2, 1903*). That the Government of the Philippine Islands is authorized to coin for use in said islands a coin of the denomination of fifty centavos and of the weight of two hundred and eight grains, a coin of the denomination of twenty centavos and of the weight of eighty-three and ten one-hundredths grains, and a coin of the denomination of ten centavos and of the weight of forty-one and fifty-five one-hundredths grains; and the standard of said silver coins shall be such that of one thousand parts, by weight, nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.

(Sec. 78 repealed by Sec. 13, Act of March 2, 1903, below.)

SEC. 13. That section seventy eight of the Act of July first, nineteen hundred and two, and all Acts and parts of Acts in-

[19] See further coinage acts of March 2, 1903, and June 23, 1906, pp. 56–59.

consistent with the provisions of this Act, and all provisions of law in force in the Philippine Islands making any form of money legal tender after December thirty-first, nineteen hundred and three, except as provided in this Act, are hereby repealed. [32 Stat. L., 952.]

Approved, March 2, 1903.

SEC. 79. That the Government of the Philippine Islands is also authorized to issue minor coins of the denominations of one-half centavo, one centavo, and five centavos, and such minor coins shall be legal tender in said islands for amounts not exceeding one dollar. The alloy of the five-centavo piece shall be of copper and nickel, to be composed of three-fourths copper and one-fourth nickel. The alloy of the one-centavo and one-half-centavo pieces shall be ninety-five percentum of copper and five per centum of tin and zinc, in such proportions as shall be determined by said Government. The weight of the five-centavo piece shall be seventy-seven and sixteen-hundredths grains troy, and of the one-centavo piece eighty grains troy, and of the one-half-centavo piece forty grains troy.

SEC. 80. That for the purchase of metal for the subsidiary and minor coinage, authorized by the preceding sections, an appropriation may be made by the Government of the Philippine Islands from its current funds, which shall be reimbursed from the coinage under said sections; and the gain or seigniorage arising therefrom shall be paid into the treasury of said islands.

SEC. 81. That the subsidiary and minor coinage hereinbefore authorized may be coined at the mint of the Government of the Philippine Islands at Manila, or arrangements may be made by the said Government with the Secretary of the Treasury of the United States for their

coinage at any of the mints of the United States, at a charge covering the reasonable cost of the work.

SEC. 82. That the subsidiary and minor coinage hereinbefore authorized shall bear devices and inscriptions to be prescribed by the Government of the Philippine Islands and such devices and inscriptions shall express the sovereignty of the United States, that it is a coin of the Philippine Islands, the denomination of the coin, and the year of the coinage.

SEC. 83. That the Government of the Philippine Islands shall have the power to make all necessary appropriations and all proper regulations for the redemption and reissue of worn or defective coins and for carrying out all other provisions of this act relating to coinage.

SEC. 84. That the laws relating to entry, clearance, and manifests of steamships and other vessels arriving from or going to foreign ports shall apply to voyages each way between the Philippine Islands and the United States and the possessions thereof, and all laws relating to the collection and protection of customs duties not inconsistent with the act of Congress of March eighth, nineteen hundred and two, " temporarily to provide revenue for the Philippine Islands," shall apply in the case of vessels and goods arriving from said islands in the United States and its aforesaid possessions.

The laws relating to seamen on foreign voyages shall apply to seamen on vessels going from the United States and its possessions aforesaid to said islands, the customs officers there being for this purpose substituted for consular officers in foreign ports.

The provisions of chapters six and seven, title forty eight, Revised Statutes, so far as now in force, and any

amendments thereof, shall apply to vessels making voyages either way between ports of the United States or its aforesaid possessions and ports in said islands; and the provisions of law relating to the public health and quarantine shall apply in the case of all vessels entering a port of the United States or its aforesaid possessions from said islands, where the customs officers at the port of departure shall perform the duties required by such law of consular officers in foreign ports.

Section three thousand and five, Revised Statutes, as amended, and other existing laws concerning the transit of merchandise through the United States, shall apply to merchandise arriving at any port of the United States destined for any of its insular and continental possessions, or destined from any of them to foreign countries.

Nothing in this act shall be held to repeal or alter any part of the act of March eighth, nineteen hundred and two, aforesaid, or to apply to Guam, Tutuila, or Manua, except that section eight of an act entitled "An act to revise and amend the tariff laws of the Philippine Archipelago," enacted by the Philippine Commission on the seventeenth of September, nineteen hundred and one, and approved by an act entitled "An act temporarily to provide revenues for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two, is hereby amended so as to authorize the civil governor thereof in his discretion to establish the equivalent rates of the money in circulation in said islands with the money of the United States as often as once in ten days.

SEC. 85. That the treasury of the Philippine Islands and such banking associations in said islands with a paid

up capital of not less than two million dollars and chartered by the United States or any State thereof as may be designated by the Secretary of War and the Secretary of the Treasury of the United Sates shall be depositories of public money of the United States, subject to the provisions of existing law governing such depositories in the United States: *Provided,* That the treasury of the Government of said islands shall not be required to deposit bonds in the Treasury of the United States, or to give other specific securities for the safe-keeping of public money except as prescribed, in his discretion, by the Secretary of War.

SEC. 86. That all laws passed by the Government of the Philippine Islands shall be reported to Congress, which hereby reserves the power and authority to annul the same, and the Philippine Commission is hereby directed to make annual report of all its receipts and expenditures to the Secretary of War.

BUREAU OF INSULAR AFFAIRS.

SEC. 87. That the Division of Insular Affairs of the War Department, organized by the Secretary of War, is hereby continued until otherwise provided, and shall hereafter be known as the Bureau of Insular Affairs of the War Department. The business assigned to said bureau shall embrace all matters pertaining to civil government in the island possessions of the United States subject to the jurisdiction of the War Department;[20] and the Secretary of War is hereby authorized to detail

[20] See Act of Congress and Executive Order of the President of July 15, 1909, imposing further duties upon the Bureau of Insular Affairs by placing Porto Rico under its supervision.

an officer of the army whom he may consider especially well qualified, to act under the authority of the Secretary of War as the chief of said bureau; and said officer while acting under said detail shall have the rank, pay, and allowances of a colonel.[21]

SEC. 88. That all acts and parts of acts inconsistent with this act are hereby repealed. [32 Stat. L., 691.]

Approved, July 1, 1902.

[21] See acts of Congress of June 25, 1906, March 2, 1907, and March 23, 1910, concerning the chief of bureau and assistants, their rank, etc.

APPENDIX D

UTTERANCES OF REPUBLICAN PRESIDENTS AND GOVERNORS-GENERAL ON THE PHILIPPINES[1]

In President McKinley's instructions to the first Philippine Commission, on the 20th of January, 1899, he expressed the hope that these commissioners would be received as bearers of "the richest blessings of a liberating rather than a conquering nation." In his message to Congress in the same year, among other things concerning the Philippines, he said:

"We shall continue, as we have begun, to open the schools and the churches, to set the courts in operation, to foster industry and trade and agriculture, and in every way in our power, to make these people whom Providence has brought within our jurisdiction feel that it is their liberty and not our power, their welfare and not our gain we are seeking to enhance."

And again he said:

"The Philippines are ours, not to exploit, but to develop, to civilize, to educate, to train in the science of self-government. This is the path of duty which we must follow or be recreant to a mighty trust committed to us."

Upon another occasion he said:

[1] Taken chiefly from Secretary Garrison's statement before the Senate Committee on the Philippines, January 11, 1915.

"We accepted the Philippines from high duty in the interest of their inhabitants and for humanity and civilization. Our sacrifices were with this high motive. We want to improve the condition of the inhabitants, securing them peace, liberty, and the pursuit of their highest good."

In the instructions sent to one of the commissions created by him he directed:

"That in all cases the municipal officers who administer the local affairs of the people are to be selected by the people, and that wherever officers of more extended jurisdiction are to be selected in any way natives of the Islands are to be preferred, and if they can be found competent and willing to perform the duties they are to receive the offices in preference to any others. It will be necessary to fill some offices for the present with Americans, which after a time may well be filled by natives of the Islands."

President Taft, while civil governor of the Philippine Islands, on the 17th of December, 1903, said:

"From the beginning to the end of the state papers which were circulated in these islands as authoritative expressions of the Executive, the motto that 'the Philippines are for the Filipinos' and that the Government of the United States is here for the purpose of preserving the 'Philippines for the Filipinos,' for their benefit, for their elevation, for their civilization, again and again and again appear."

And upon the same occasion, and in response to a particularly vicious newspaper attack which was then being made upon him by the American papers published in the Islands, he said:

"Some of our young lions of the local press have spoken of the 'childish slogan,' 'The Philippines for the Filipinos.' It is unnecessary to comment on the adjective used, but it is sufficient to say that, whether childish or not, the principle makes up the web and the woof of the policy of the United States with respect to these islands as it has been authoritatively declared by two Presidents of the United States — for President Roosevelt has followed sedulously the policy of President McKinley — and by the interpretation of the supreme popular will, the Congress of the United States."

He points out that the actions of the President and the instructions thereof have, by an act of Congress, been expressly approved. In further reference to this doctrine he said:

"The doctrine as interpreted in the light of these authoritative declarations assumes that the Filipino people are of future capacity but not of present fitness for self-government, and that they may be taught by the gradual extension of self-government to exercise the conservative self-restraints without which popular government is impossible. . . .

"The doctrine does not include, necessarily, the independence of the Filipino, nor any particular degree of autonomy. It is entirely consistent with the principle to object to an immediate extension of popular government on the ground that we are going too fast for the political digestion of the people, and that it is not, therefore, for their good. Whether an autonomy or independence or quasi independence shall ultimately follow in these islands ought to depend solely on the question, Is it best for the Filipino people and their welfare? . . .

" I think I have demonstrated by what I have quoted and the instances I have cited that the doctrine ' The Philippines for the Filipinos ' is one which the honor of the United States requires it to enforce throughout these islands. Not only was it promised to the Filipinos when the Americans came, after they had been here, during the insurrection, and at its close, but I do not think it too much to say that the reiteration of the promises as shown in legislation carrying out these principles had much to do with bringing about the present tranquillity in these islands . . ."

It is interesting to note his next direct reference to this matter, because it shows that the conditions which existed in December of 1903 are still existent. He said:

" There are many Americans in these islands, possibly a majority, and this includes all the American press, who are strongly opposed to the doctrine of ' The Philippines for the Filipinos.' They have no patience with the policy of attraction, no patience with attempts to conciliate the Filipino people, no patience with the introduction into the government as rapidly as their fitness justifies of the prominent Filipinos. They resent everything in the government that is not American. They insist that there is a necessity for a firm government here rather than a popular one, and that the welfare of Americans and American trade should be regarded as paramount. It is possible to trace the history of the formation of these views."

And he then proceeds to do so, in the course of which he says:

" With the lack of logic, so characteristic of human nature, the merchant who finds hard times coming on,

the business man whose profits are not so great, looks about for a scapegoat and an explanation, and he finds it in the wicked civil government which has been encouraging the natives as far as it could; has been taking the native into the government as far as he seemed fitted; is doing what it can to elevate the Filipino people and provide for their welfare, and has not taken the American merchant under its especial wing."

It is particularly interesting, in view of the recent exaggerated accounts of a petty disturbance in the Islands, to read what Mr. Taft said concerning such occurrences in his time:

"The attitude of the American press and of the American merchant in his hostility to the Filipino and in the consequent hostility to the civil government was led into the error at one time of emphasizing in every possible way, by letters and representations of all sorts, that the condition of the country as to tranquillity was so bad that the whole of the Islands was still in a state of war. Every small ladrone fight, every discomfiture which the constabulary suffered, was exaggerated and made the basis for inference that the conditions in the country were retrograding rather than improving. Such incidents were seized upon and made as much of as headlines and general statements could make them."

And further on, adverting to the same general subject matter, he said:

"When one's feelings of enmity are very much aroused, it is difficult to set the limit to the expression of them. So it is that we have the young lions of the American press, of the three newspapers who are supposed to speak the American public opinion in these

islands, holding the Filipino up to contempt, exposing all his supposed vices and giving him no credit whatever for any virtues, and it may be that this represents the feeling of the majority of the resident Americans in Manila. But can we not in the end be just and give to the whole Filipino people their due? Should we wish the Filipino people to judge of Americans by the drunken truculent American loafers who infest the small towns of these islands, living on the fruits of the labor of Filipino women, and give us more trouble than any other element in the Islands? Should we wish the Filipino people to judge of American standards of honesty by reading the humiliating list of American official and unofficial defaulters in these islands? I think not."

In referring to the characteristics of the Filipinos, Mr. Taft said:

"Contrast the Filipinos with other Malays and the oriental peoples, and I ask you to name a people offering more opportunities for development along the lines which American ideals require than the people of these islands. . . . The Filipino people as a people have breathed in through their educated leaders the inspiration of liberty and free government. Many of them have fought, bled, and given up their lives in a struggle for independence. . . . Their intense desire for education, their appreciation of European and American improvements in dress and bodily comforts, their artistic ambitions, their quick desire and power to imitate the good they see and understand, their openness to the reception of new and better things, their political aspirations for liberty and popular government, however lacking in a political knowledge of its difficulties and real essence — all these

traits, added to a peculiar social sense and charm, make them a people peculiarly subject to the good and developing influence of a friendly and sympathetic government in which they are given a gradually increasing part, and justify an entirely different policy in dealing with them and promoting their welfare from that which England has found it necessary to pursue with Mohammedan and Buddhist peoples, having neither sympathy with, nor understanding of, modern European ideas."

Finally, in referring to the condition of tranquillity which it is necessary to preserve in order that the capital which is imperatively needed to stimulate commerce should come to the Islands; he said:

"Now, what has produced the present tranquillity? I say without hesitation that the chief element to-day is the confidence which the conservative people of the Islands have in the promises of the United States to make the welfare of the Filipinos its chief purpose in remaining here and to assist them sincerely in learning the secret of self-government by gradually enlarging their political power. . . . How long is it thought we could avail ourselves of this popular support if we repudiated our national promises and adopted the policy of repulsion and repression, dignified under the name 'the policy of a firm hand,' and if we said to the people, 'You are not to be trusted; the offices must all go to Americans; you are an inferior race and are sufficiently rewarded by having a superior race to come here and run your government for you'?"

President McKinley, in referring to the characteristics of the Filipinos, said:

" The Filipinos are a race quick to learn and to profit by knowledge. He would be rash who, with the teachings of contemporaneous history in view, would fix a limit to the degree of culture and advancement yet within the reach of these people if our duty toward them be faithfully performed."

In adverting to the Philippines in his message on December 6, 1904, President Roosevelt said:

" We are endeavoring to develop the natives themselves so that they shall take an ever-increasing share in their own government, and as far as is prudent we are already admitting their representatives to a governmental equality with our own. . . . If they show that they are capable of electing a legislature which in its turn is capable of taking a sane and efficient part in the actual work of the government, they can rest assured that a full and increasing measure of recognition will be given them."

And in 1906 he said:

" We are constantly increasing the measure of liberty accorded the islanders, and next spring, if conditions warrant, we shall take a great stride forward in testing their capacity for self-government by summoning the first Filipino legislative assembly; and the way in which they stand this test will largely determine whether the self-government thus granted will be increased or decreased; for if we have erred at all in the Philippines it has been in proceeding too rapidly in the direction of granting a large measure of self-government."

In 1908, after the Philippine Assembly had been opened, President Roosevelt, in his message, said:

"Real progress toward self-government is being made in the Philippine Islands." And in referring to the assembly, he said:

"Hitherto this Philippine Legislature has acted with moderation and self-restraint and has seemed, in practical fashion, to realize the eternal truth that there must always be government, and that the only way in which any body of individuals can escape the necessity of being governed by outsiders is to show that they are able to restrain themselves, to keep down wrongdoing and disorder. The Filipino people, through their officials, are therefore making real steps in the direction of self-government. I hope and believe that these steps mark the beginning of a course which will continue till the Filipinos become fit to decide for themselves whether they desire to be an independent nation. . . . All we can do is to give them the opportunity to develop the capacity for self-government. . . . We can not give them self-government save in the sense of governing them so that gradually they may, if they are able, learn to govern themselves."

He adverts to the fact that they are gradually acquiring the character which lies at the basis of self-government and then says:

"I trust that within a generation the time will arrive when the Filipinos can decide for themselves whether it is well for them to become independent or to continue under the protection of a strong and disinterested power, able to guarantee to the Islands order at home and protection from foreign invasion."

When Mr. Taft was Secretary of War, in April, 1904, in the course of a speech upon the Philippines, he said:

" When they have learned the principles of successful popular self-government from a gradually enlarged experience therein, we can discuss the question whether independence is what they desire and grant it, or whether they prefer the retention of a closer association with the country which, by its guidance, has unselfishly led them on to better conditions."

In 1905 Mr. Taft, in the course of an article upon the Philippines, wrote:

" We said that we were there for the benefit of the Filipino people; we said that we were there to give them as much of self-government as they could stand, and we did it. We may have given them a little more, but it is a good deal better to extend it a little beyond what they can stand and teach them the lesson and then say to them, ' When you do educate yourselves up to this we will extend it a little more ' (as we have had occasion to do in a number of provinces) than it is to give them the impression that we were deceiving them in what we said we wished to do for them. One of the chief characteristics of the orientals — indeed, one of the chief characteristics of all nations that are ignorant — is suspicion and distrust, and the primary rule of policy in dealing with them is absolute honesty and straightforwardness."

On August 11, 1905, Mr. Taft, then Secretary of War, speaking in Manila and expressing, he said, the sentiments of President Roosevelt throughout, among other things, said:

" The American people have examined into, as far as may be, the capacity of the Filipino people to be developed into a self-governing nation; and while they ad-

mit that the proposition to make them a self-governing people is an experiment, never before tried with a tropical Malay or oriental people, they believe the circumstances to be such that if the high national purpose of treating them as sacred wards of the United States and of dealing with them in every way for their benefit, for their own elevation and for their own education, shall be pursued, free from a desire for selfish exploitation or gain, that the experiment will be a success."

In opening the Philippine Assembly on the 16th of October, 1907, Mr. Taft, then Secretary of War, said:

"The avowed policy of the National Administration under these two Presidents has been and is to govern the Islands, having regard to the interest and welfare of the Filipino people, and by the spread of primary general and industrial education and by practice in partial political control to fit the people themselves to maintain a stable and well-ordered government affording equality of right and opportunity to all citizens. The policy looks to the improvement of the people both industrially and in self-governing capacity. As this policy of extending control continues, it must logically reduce and finally end the sovereignty of the United States in the Islands, unless it shall seem wise to the American and the Filipino peoples, on account of mutually beneficial trade relations and possible advantages to the Islands in their foreign relations, that the bond shall not be completely severed."

In a special report made by Secretary Taft on the Philippines and their political future, with special reference to the policy which had been pursued there, he said:

"The conditions in the Islands to-day vindicate and justify that policy. It necessarily involves in its ultimate conclusion as the steps toward self-government become greater and greater the ultimate independence of the Islands; although, of course, if both the United States and the Islands were to conclude after complete self-government were possible, that it would be mutually beneficial to continue a governmental relation between them like that between England and Australia, there would be nothing inconsistent with the present policy in such a result."

In that report he dwells upon the necessity of the education of the masses of the people with a view of enabling them intelligently to exercise the force of public opinion, without which popular self-government is impossible, and said that it was reasonable then to say that such a condition could not be reached until at least one generation should have been subject to the process of primary and industrial education. He adverts to the fact that the great majority of the people undoubtedly desired immediate independence, but he thinks that that was not an intelligent judgment based upon a knowledge of what independence means, or on what the responsibilities of a popular government are. He states as his belief that at that time so relatively a small number were sufficiently educated to comprehend self-government that they would be practically an oligarchy and there would not be real popular self-government participated in by the mass of the people, and that the further presence and authority of the Americans was necessary in the Islands to develop these lower classes and preserve their rights; saying, in this connection:

"If the American Government can only remain in the Islands long enough to educate the entire people, to give them a language which enables them to come into contact with modern civilization, and to extend to them from time to time additional political rights so that by the exercise of them they shall learn the use and responsibilities necessary to their proper exercise, independence can be granted with entire safety to the people. I have an abiding conviction that the Filipino people are capable of being taught self-government. . . ."

Further on he says:

"Thus far the policy of the Philippines has worked. It has been attacked on the ground that we have gone too fast, that we have given the natives too much power. The meeting of the assembly and the conservative tone of that body thus far disclosed makes for our view rather than that of our opponents; but had the result been entirely different with the assembly, and had there been a violent outbreak at first in its deliberations and attempts at obstruction, I should not have been in the least discouraged, because ultimately I should have had confidence that the assembly would learn how foolish such exhibitions were and how little good they accomplished for the members of the assembly or the people whom they represented. The fact that this natural tendency was restrained is an indication of the general conservatism of the Filipino people."

In a message delivered on the 6th of December, 1912, President Taft said:

"We should . . . endeavor to secure for the Filipinos economic independence and to fit them for complete self-

government, with the power to decide eventually, according to their own largest good, whether such self-government shall be accompanied by independence."

On the 1st of March, 1913, President Taft adverted to the Democratic platform with reference to the Philippines and quoted that portion of it which referred to the purpose of the United States to " recognize the independence of the Philippine Islands as soon as a stable government can be established," and said that this was " an affirmation of policy only slightly differing from that repeatedly announced by this and preceding Republican administrations."

Governor General W. Cameron Forbes, in his farewell speech before leaving the Islands, made the statement " that the platforms of both parties reached the same general conclusion in regard to the granting of independence when a stable government should be established." He subsequently, in a published speech in this country, corrected this statement to the extent of substituting the word " policies " for the word " platforms."

In an article published in " Everybody's Magazine " for January, 1915, Mr. Roosevelt said:

" The first and most important thing for us as a people to do in order to prepare ourselves for self-defense is to get clearly in our minds just what our policy is to be, and to insist that our public servants shall make their words and their deeds correspond. For example, the present administration was elected on the explicit promise that the Philippines should be given their independence, and it has taken action in the Philippines which can only be justified on the theory that their independence is to come in the immediate future. I be-

lieve that we have rendered incalculable service to the Philippines, and that what we have there done has shown in the most striking manner the extreme mischief that would have followed if in 1898 and in subsequent years we had failed to do our duty in consequence of following the advice of Mr. Bryan and the pacificists or anti-imperialists of that day.

"But this good has been to the Philippines themselves. The only good that has come to us as a nation has been the good that springs from knowledge that a great deed has been worthily performed. Personally, I think it is a fine and high thing for a nation to have done such a deed with such a purpose. But we can not taint it with bad faith. If we act so that the natives understand us to have made a definite promise, then we should live up to that promise. The Philippines from a military standpoint are a source of weakness to us. The present administration has promised explicitly to let them go, and by its actions has rendered it difficult to hold them against any serious foreign foe. These being the circumstances, the Islands should at an early moment be given their independence without any guarantee whatever by us and without our retaining any foothold in them."

APPENDIX E

DEMOCRATIC PLATFORMS ON THE PHILIPPINES

1900

We declare again that all governments instituted among men derive their just powers from the consent of the governed; that any government not based upon the consent of the governed is a tyranny, and that to impose upon any people a government of force is to substitute the methods of imperialism for those of a republic.

We assert that no nation can long endure half republic and half empire, and we warn the American people that imperialism abroad will lead quickly and inevitably to despotism at home.

We condemn and denounce the Philippine policy of the present Administration.

The Filipinos cannot be citizens without endangering our civilization; they cannot be subjects without imperiling our form of government; and as we are not willing to surrender our civilization nor to convert the republic into an empire we favor an immediate declaration of the nation's purpose to give the Filipinos, first, a stable form of government; second, independence; and third, protection from outside interference, such as has

given for nearly a century to the republics of Central and South America.

1904

We oppose, as fervently as did George Washington himself, an indefinite, irresponsible, discretionary, and vague absolutism and a policy of colonial exploitation, no matter where or by whom invoked or exercised. We believe, with Thomas Jefferson and John Adams, that no government has a right to make one set of laws for those "at home" and another and a different set of laws, absolute in their character, for those "in the colonies." All men under the American flag are entitled to the protection of the institutions whose emblem the flag is. If they are inherently unfit for those institutions, then they are inherently unfit to be members of the American body politic. Wherever there may exist a people incapable of being governed under American laws, in consonance with the American Constitution, the territory of that people ought not to be part of the American domain.

We insist that we ought to do for the Filipinos what we have done already for the Cubans, and it is our duty to make that promise now and upon suitable guarantees of protection to citizens of our own and other countries resident there at the time of our withdrawal, set the Filipino people upon their feet, free and independent to work out their own destiny.

1908

We condemn the experiment in imperialism as an inexcusable blunder which has involved us in enormous

expenses, brought us weakness instead of strength, and laid our nation open to the charge of abandoning a fundamental doctrine of self-government. We favor an immediate declaration of the nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us as we guarantee the independence of Cuba, until the neutralization of the Islands can be secured by treaty with other powers. In recognizing the independence of the Philippines our Government should retain such land as may be necessary for coaling stations and naval bases.

1912

We reaffirm the position thrice announced by the Democracy in national convention assembled against a policy of imperialism and colonial exploitation in the Philippines or elsewhere. We condemn the experiment in imperialism as an inexcusable blunder, which has involved us in enormous expenses, brought us weakness instead of strength, and laid our nation open to the charge of abandonment of the fundamental doctrine of self-government. We favor an immediate declaration of the nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us until the neutralization of the Islands can be secured by treaty with our powers.

In recognizing the independence of the Philippines our Government should retain such land as may be necessary for coaling stations and naval bases.

APPENDIX F

PRESIDENT WILSON'S POSITION ON THE PHILIPPINES

Self-government is not a mere form of institutions, to be had when desired, if only proper pains be taken; it is a form of character. It follows upon the long discipline which gives the people self-possession, self-mastery; the habit of order and business and common counsel, and reverence for law which alone follow when they themselves become the makers of law; the steadiness, the self-control of political maturity — and these things cannot be had without long discipline.

The distinction is of vital concern to us in respect to practical choices of policy which we must make, and make very soon. We have dependencies to deal with, and must deal with them in the true spirit of our own institutions. We can give the Filipinos constitutional government, a government which they may count upon to be just — a government based upon some clear and equitable understanding, intended for their good and not for our aggrandizement — but we must ourselves for the present supply that government. It would, it is true, be an unprecedented operation, reversing the process of Runnymede, but America has before this shown the world enlightened policies of politics that were without precedence. It would have been within the choice of King John to summon his barons to Runnymede of his

own initiative and enter into a constitutional understanding with them, and it is within our choice to do a similar thing, at once and wise and generous in the government of the Philippine Islands.

But we can not give them self-government. Self-government is not a thing that can be given to any people, because it is a form of character and not a form of constitution. No people can be given the self-control of maturity. Only the long apprenticeship of competence can secure them the precious possession — a thing no more to be bought than given. They cannot be presented with the character of a community; but it can be confidently hoped that they will become a community under the wholesome operation of just laws and a sympathetic administration; that they will, after a while, understand and master themselves, if in the meantime they are understood and served in good conscience by those set over them in authority.

We, of all people in the world, should know these fundamental things and should act upon them, if only to illustrate the mastery in politics which belongs to us of hereditary right. To ignore them would be not only to fail and fail miserably but to fail ridiculously, and to belie ourselves. Having ourselves gained self-government by a definite process which can have no substitute, let us put the peoples dependent upon us in the right way to gain it also.

From his book on "Constitutional Government" published in 1908.

In dealing with the Philippines, we should not allow ourselves to stand upon any mere point of pride, as if,

in order to keep our countenance in the family of nations, it were necessary for us to make the same blunders of selfishness that other nations have made. We are not owners of the Philippine Islands. We hold them in trust for the people who live in them. They are theirs for the uses of their life. We are not even their partners. It is our duty as trustees, to make whatever arrangement of government will be most serviceable to their freedom and development. Here, again, we are to set up the rule of justice and of right.

From his speech of acceptance of the Democratic nomination, 1912.

The Philippines are at present our frontier, but I hope we presently are to deprive ourselves of that frontier.

From a report of his speech at Staunton, Virginia, December 28, 1912.

We regard ourselves as trustees acting not for the advantage of the United States but for the benefit of the people of the Philippine Islands.

Every step we take will be taken with a view to the ultimate independence of the Islands and as a preparation for that independence. And we hope to move toward that end as rapidly as the safety and the permanent interests of the Islands will permit. After each step taken, experience will guide us to the next.

The administration will take one step at once and will give to the native citizens of the Islands a majority in the appointive commission, and thus in the upper as well as in the lower house of the legislature a majority representation will be secured to them.

We do this in the confident hope and expectation that immediate proof will be given, in the action of the Commission under the new arrangement, of the political capacity of those native citizens who have already come forward to represent and to lead their people in affairs.

Message to the Filipino people delivered by Governor Harrison in Manila, October 6, 1913.

Outside the charmed circle of our own national life in which our affections command us, as well as our consciences, there stand out our obligations toward our territories over sea. Here we are trustees. Porto Rico, Hawaii, the Philippines, are ours, indeed, but not ours to do what we please with. Such territories, once regarded as mere possessions, are no longer to be selfishly exploited; they are part of the domain of public conscience and of serviceable and enlightened statesmanship. We must administer them for the people who live in them and with the same sense of responsibility to them as toward our own people in our domestic affairs. No doubt we shall successfully enough bind Porto Rico and the Hawaiian Islands to ourselves by ties of justice and interest and affection, but the performance of our duty toward the Philippines is a more difficult and debatable matter. We can satisfy the obligations of generous justice toward the people of Porto Rico by giving them the ample and familiar rights and privileges accorded our own citizens in our own territories and our obligations toward the people of Hawaii by perfecting the provisions for self-government already granted them, but in the Philippines we must go further. We must hold steadily in view their ultimate in-

dependence, and we must move toward the time of that independence as steadily as the way can be cleared and the foundations thoughtfully and permanently laid.

Acting under the authority conferred upon the President by Congress, I have already accorded the people of the Islands a majority in both houses of their legislative body by appointing five instead of four native citizens to the membership of the Commission. I believe that in this way we shall make proof of their capacity in counsel and their sense of responsibility in the exercise of political power, and that the success of this step will be sure to clear our view for the steps which are to follow. Step by step we should extend and perfect the system of self-government in the Islands, making test of them and modifying them as experience discloses their successes and their failures; so that we should more and more put under the control of the native citizens of the archipelago the essential instruments of their life, their local instrumentalities of government, their schools, all the common interests of their communities, and so by counsel and experience set up a government which all the world will see to be suitable to a people whose affairs are under their own control. At last, I hope and believe, we are beginning to gain the confidence of the Filipino people. By their counsel and experience, rather than by our own, we shall learn how best to serve them and how soon it will be possible and wise to withdraw our supervision. Let us once find the path and set out with firm and confident tread upon it and we shall not wander from it nor linger upon it.

From his Message to Congress, December 2, 1913.

There is another great piece of legislation which awaits and should receive the sanction of the Senate: I mean the bill which gives a larger measure of self-government to the people of the Philippines. How better, in this time of anxious questioning and perplexed policy, could we show our confidence in the principles of liberty, as the source as well as the expression of life, how better could we demonstrate our own self-possession and steadfastness in the courses of justice and disinterestedness than by thus going calmly forward to fulfil our promises to a dependent people, who will now look more anxiously than ever to see whether we have indeed the liberality, the unselfishness, the courage, the faith we have boasted and professed. I cannot believe that the Senate will let this great measure of constructive justice await the action of another Congress. Its passage would nobly crown the record of these two years of memorable labor.

From his Message to Congress, December 8, 1914.

Our principles are well known. It is not necessary to avow them again. We believe in political liberty and founded our great Government to obtain it, the liberty of men and of peoples — of men to choose their own lives and of peoples to choose their own allegiance. Our ambition, also, all the world has knowledge of. It is not only to be free and prosperous ourselves, but also to be the friend and thoughtful partizan of those who are free or who desire freedom the world over.

If we have had aggressive purposes and covetous ambitions, they were the fruit of our thoughtless youth as a nation and we have put them aside. We shall, I confidently believe, never again take another foot of

territory by conquest. We shall never in any circumstances seek to make an independent people subject to our dominion; because we believe, we passionately believe, in the right of every people to choose their own allegiance and be free of masters altogether.

For ourselves we wish nothing but the full liberty of self-development; and with ourselves in this great matter we associate all the peoples of our own hemisphere. We wish not only for the United States, but for them the fullest freedom of independent growth and of action, for we know that throughout this hemisphere the same aspirations are everywhere being worked out, under diverse conditions, but with the same impulse and ultimate object.

From his Address to the Manhattan Club at New York, November 4, 1915.

There is another matter which seems to me to be very intimately associated with the question of national safety and preparation for defense. That is our policy toward the Philippines and the people of Porto Rico. Our treatment of them and their attitude toward us are manifestly of the first consequence in the development of our duties in the world and in getting a free hand to perform those duties. We must be free from every unnecessary burden or embarrassment; and there is no better way to be clear of embarrassment than to fulfil our promises and promote the interests of those dependent on us to the utmost. Bills for the alteration and reform of the government of the Philippines and for rendering fuller political justice to the people of Porto Rico were submitted to the Sixty-third Congress. They will be

submitted also to you. I need not particularize their details. You are most of you already familiar with them. But I do recommend them to your early adoption with the sincere conviction that there are few measures you could adopt which would more serviceably clear the way for the great policies by which we wish to make good, now and always, our right to lead in enterprises of peace and good will and economic and political freedom.

From his Message to Congress, December 7, 1915.

APPENDIX G

THIRD PHILIPPINE LEGISLATURE
PHILIPPINE ASSEMBLY

SECOND SESSION

RESOLUTION FORWARDING TO THE PRESIDENT OF THE UNITED STATES OF AMERICA, THROUGH THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS, A MESSAGE FROM THE PHILIPPINE ASSEMBLY, IN THE NAME OF THE PEOPLE OF THE PHILIPPINES.

WHEREAS the President of the United States has, through the Governor-General, Honorable Francis Burton Harrison, sent a message to the people of the Philippine Islands, which message was duly communicated on the sixth day of October, nineteen hundred and thirteen, and reads as follows:

" We regard ourselves as trustees acting not for the advantage of the United States but for the benefit of the people of the Philippine Islands.

" Every step we take will be taken with a view to the ultimate independence of the Islands and as a preparation for that independence, and we hope to move towards that end as rapidly as the safety and the permanent interests of the Islands will permit. After each step taken experience will guide as to the next.

" The administration will take one step at once and

will give to the native citizens of the Islands a majority in the appointive Commission and thus in the Upper as well as in the Lower House of the Legislature a majority representation will be secured to them.

" We do this in the confident hope and expectation that immediate proof will be given, in the action of the Commission under the new arrangement, of the political capacity of those native citizens who have already come forward to represent and to lead their people in affairs."

Now, therefore, be it

Resolved, That the Philippine Assembly, in the name of the people of the Philippine Islands, do, and hereby does, request the Chief Executive thereof to be pleased to transmit to the President of the United States the following Reply-Message:

" We, the Representatives of the Filipino people, constituting the Philippine Assembly, solemnly declare:

" That it is evident to us that the Filipino people has the right to be free and independent, so that, in advancing alone along the road of progress, it will on its own responsibility work out its prosperity and manage its own destinies for all the purposes of life. This was the aspiration of the people when it took up arms against Spain, and the presence of the American flag, first on Manila Bay, and then in the interior of the Archipelago, did not modify, but rather encourage and strengthen the aspiration, despite all the reverses suffered in war and difficulties encountered in peace. Being called to the ballot box, the people again and again ratified this aspiration, and since the inauguration of the Assembly, the national representative body has been acting in accordance with the popular will only. Thus, in the

midst of the most adverse circumstances, the ideal of the people never wavered and was respectfully and frankly brought before the powers of the sovereign country on every propitious occasion.

"On the other hand, our faith in the justice of the American people was as great and persistent as our ideal. We have waited in patience, confident that sooner or later all errors and injustices would be redressed. The message of the President of the United States to the Filipino people is eloquent proof that we have not waited in vain.

"We accept said message with love and gratitude and consider it a categorical declaration of the purpose of the American nation to recognize the independence of the Islands. The immediate step of granting us a majority on the Commission places in our hands the instruments of power and responsibility for the establishment by ourselves of a stable Filipino Government. We fully appreciate and are deeply grateful for the confidence reposed in us by the Government of the United States. We look upon the appointment of the Honorable Francis Burton Harrison as governor-general as the unmistakable harbinger of the new era, in which we expect the attitude of the people to be one of decided coöperation and support. We believe that happily the experiments of imperialism have come to an end, and that colonial exploitation has passed into history. The epoch of mistrust has been closed, and the Filipinos, upon having thrown open to them the doors of opportunity, are required to assume the burden of responsibility, which it would be inexcusable cowardice on their part to avoid or decline. Owing to this, few days have sufficed to

bring about a good understanding between Americans and Filipinos, which it had been impossible to establish during the thirteen years past. We are convinced that every onward step, while relieving the American Government of its responsibilities in the Islands, will, as in the past, fully demonstrate the present capacity of the Filipino people to establish a government of its own and guarantee in a permanent manner the safety under such government of the life, property, and liberty of the residents of the Islands, national as well as foreign. We do not wish to say by this that there will not be difficulties and embarrassments. Nor do we even expect that the campaign, open or concealed, of the enemies of the Filipino cause will cease soon, but we feel sure that through a conservative use of the powers entrusted to us, the Filipino people will, with God's favor and the help of America, emerge triumphantly from the test, however difficult it may be."

Resolved, further, That a committee of seven, appointed by the Speaker of the Assembly, wait upon the Governor-General in his office and deliver to him this resolution, duly certified.

Adopted, October 16, 1913.

I hereby certify that the foregoing Resolution (A. R. No. 87) was adopted by the Assembly on October 16, 1913.

TEODORO M. KALAW,
Secretary, Philippine Assembly.

INDEX

INDEX

(Phils.—Philippines; Phil.—Philippine; Fils.—Filipinos.)

Acquisition of the Phils., 18–41; commercial considerations in, 22–24.
Agoncillo, Felipe, flight of, to Canada, 78; letters of, to State Department, 62, 63; memorial of, to Senate, 64–78; mission of, abroad, 61.
Aguinaldo, Emilio, character of, 67; compared to Sitting Bull, 113; government of, 158; letter of, to McKinley, 68.
Allen, Senator, 50.
Allison, Senator, 132.
André, Consul, 30, 31.
Anti-Imperialist League, activities of, 100; attitude of, towards the Fils., 102–105; foundation of, 98; on friar land question, 193; growth of, 99; opposition of, to treaty of Paris, 45; platform of, 101–102; supporters of, 99, 100.
Assembly, Phil., establishment of, 132–146; resolutions of, petitioning independence, 182, 220, 239, 348–351.

Bacon, Senator, prophecy of, as to opening of hostilities, 50; independence resolution of, 45–47.
Barrett, John, 159.
Bell, Major, 30, 70.
"Benevolent assimilation" proclamation, 49, 82–87.
Beveridge, Senator, 21, 132.
Bryan, William J., on causes of outbreak of Filipino-American War, 96; on imperialism, 116; Phil. views of, in 1900, 108, 110, 117; support of, to the treaty of Paris, 51, 55.

Canada's status compared with that of Phils., 188.
Capacity of Fils. (*See* Fil., capacity of, for self-government).
Carmack, Senator, 129.
Carpenter, Frank, 194.
China, partition of, as motive for Phil. retention, 22.
Clapp, Senator, 233, 230.
Clarke Amendment to Jones Bill, 223–245; full text of, 224, 225; indorsement of, by Phil. Assembly, 228; objection to, by the President, 223; passage of, in the Senate, 226, 227.
Cleveland, President, 5, 99.
Commercial considerations in Phil. acquisition, 22–24.
Commission, First Phil., 87; Second Phil., 94.

Cooper, Congressman Henry A., as chairman of Insular Affairs Committee, 133; on progress of independence cause, 211, 212; supports establishment of Phil. Assembly, 133, 142–145.
Cost of Phil. retention, 125, 230, 231.
Cuba, relations of, with United States, 3–17; Cuban and Phil. questions compared, 3, 4, 107.
Cummins, Senator, 221.

Day, William R., 27, 31, 34, 37.
Davis, Cushman C., 27, 38, 40.
Del Pan, Rafael, 194.
Democratic Party, attitude of, towards the Phils., 98, 104, 107–110, 195, 337–339.
Denby, Charles, 87.
Dewey, Admiral, 30, 182; cable to, *re* Phil. information, 26, 27; on Filipino capacity for self-government, 47, 158; plan of, to take Manila, 19, 20; victory of, on Manila Bay, 20, 21.

Earnshaw, Manuel, 176.
Education among the Fils., 184, 230.
Edwards, General, 195.

Filipino-American War, beginning of, 55, 87, 95; length of, 126; tortures practised during, 127.
Filipino capacity for self-government, attitude of American employees towards, 153–157; Barrett on, 159; Dewey on, 47, 158; McDill on, 168–170; McKinley on, 328, 329; Merritt on, 158; Moses, Prof., on, 161; Quezon on, 184–186; Roosevelt on, 113, 175; Sargent on, 158; Shafroth on, 229, 230; Shuster on, 156, 157; Taft on, 326, 327; Wilcox on, 158; Worcester on, 161–173. (*See also* Independence for the Phils.)
Fils., desire of, for independence, 180–183, 189, 190, 220, 239, 348–351.
Fils. not a free people, 187, 188.
Forbes, W. Cameron, 152, 194, 335.
Foreman, John, 31.
Friar land question, 193–195.
Frye, William P., 27, 37.

Gray, Senator, 27, 31–34, 37.
Greene, General, 30, 70.

Harcourt v. Gaillard, 75.
Harrison, Francis Burton, appointment of, as Governor-General, 196; attacks on, 201–203; inaugural address of, 196–199; policy of, in the Phils., 201–203.
Hay, Secretary, 34.
Henderson, Congressman, 106.
Hepburn, Congressman, 106.
Hill, Congressman, 140.
Hitchcock, Gilbert M., 221, 222, 234, 243; amendments of, to the Jones Bill, 219.
Hoar, Senator, 134; on at-

tempts to annex Cuba, 10; on Bryan's Phil. policy, 52, 108; interest of, in Phils., 103, 104; plan of, to free the Phils., 110, 111; retrospect of, on Filipino-American relations, 120–125; on Spanish-American war, 9; on subjugation of Fils., 59; on treaty of Paris, 44, 57, 89.
Hobart, Vice-President, 59.

Imperialism, American, beginnings of, 20–41; Beveridge on, 21; Bryan on, 116; Bryce on, 119; decline of, 119, 128–130; foreign views on, 117, 118, 125, 126; Hoar on, 120–125; Lodge on, 52–55, 105, 114, 115; McKinley on, 29, 30; paramount issue of, 98–118. (*See also* Independence for the Phils.)
Independence for the Phils., American attitude towards, 190–192, 202, 203, 209, 222; Anti-Imperialist attitude towards, 102–105; Borah on, 235; Bryan on, 108, 110, 117; campaign against, 147–173, 191, 192, 240, 241; Clapp on, 233; Democratic party on, 98, 104, 107–110, 195, 337–339; effect of cessation of agitation for, 235–237; Filipino petitions for, 180–183, 220, 239, 348–351; Hoar on, 110, 111, 120–125; Lewis on, 232; Lippitt on, 234; Lodge on, 235; McKinley on, 147, 149, 322, 323; Mann on, 213, 214; military preparedness and, 231, 232; Quezon on, 178, 179, 187–190, 214, 215; reluctance of Congress to declare a policy of, 42–60, 120–125, 134–144, 237, 238; Republican party on, 98, 104–107, 113–115, 148–150, 210; Robinson on, 233; Roosevelt on, 149, 329–330, 335, 336; Root on, 148, 235; Sutherland on, 234; Taft on, 193, 323, 324, 330, 335; Wilson on, 195, 196, 197, 223, 340–347. (*See also* Jones Bill.)

Jefferson, Thomas, 73, 75.
Jewett, Colonel, 30.
Jones Bill, introduction of, in 63rd Congress, 204; preamble to, 204, 205; legislative provisions of, 204–206; Filipino attitude towards, 206–209, 241; discussion and passage of, in the House, 209–216; defeat of, in the Senate, 216–218; reintroduction of, in the 64th Congress, 219; discussion and passage of, in the Senate, 221–235; Clarke Amendment to, 224, 225.
Jones, Congressman W. A., 134; early independence bills of, 136–139, 238.

Kenyon, Senator, 225.

Landis, Congressman, 140.
Letane, J. H., 22, 23.
Lewis, Senator, 232.
Lincoln, 188.
Literacy among the Fils., 184.
Lodge, H. C., 56, 132, 235; on

treaty of Paris, 52–55; on imperialism, 105, 114, 115.
Lopez, Sixto, 62, 78, 100.

McDill, John R., 168–170.
McKinley, President, 45; absolute power of, over the Phils., 93; Aguinaldo's letter to, 68; "benevolent assimilation" proclamation of, 49, 82–87; claim of, as to sovereignty over the Phils., 36, 82; on commercial opportunities of the Phils., 29, 30; demands cession of all islands, 34; on exploitation of Phils., 94; on Filipino resistance to American rule, 95, 97, 175; hesitation of, to take the Phils., 26, 36; on human rights, 25; instructions of, to military commanders, 83, 84; to peace commissioners, 27–30, 38, 39; to Schurman Commission, 87, 88; to Taft Commission, 94, 260–271; on protectorate over the Phils., 112; protests to Spain of, for Cuban atrocities, 5; Spanish minister's letter *re*, 6; suggests intervention in Cuba, 5, 7; utterances of, on American policy towards the Phils., 147, 322, 323; western trip of, 42.
McLaurin, Senator, 48.
Mabini, Apolinario, on Filipino resistance to American rule, 79; suggestion of, for cessation of hostilities, 80, 81.
MacArthur, General, 127.
Maine, blowing up of, 6.
Manifesto of Fils., 67, 68.
Mann, James R., on independence, 213, 214.
Marshall, Vice-President, 226.
Martin, Congressman, 193.
Mason, Senator, 44, 47.
Merritt, General, 30.
Miles, Nelson A., on cruelties of Phil. campaign, 127, 128.
Moses, Prof., 161.

Ocampo, Pablo, 177.
Organic Act, debate on, 134–144; full text of, 272–321; House minority substitute to, 136–140; influence of Rizal's poem on passage of, 143, 144; opposition to Assembly provision of, 132–146; Senate minority substitute to, 134–136.
Osmeña, Sergio, 182, 183.
Otis, General, on "benevolent assimilation" proclamation, 86.

Palma, Rafael, 176.
Palma, President T. E., correspondence of, with General Wood, President Roosevelt, and Secretary Root, 15–17.
"Paramount issue" of imperialism, 98–118.
Paris, Treaty of, commissioners to, 27; conflicting views of Commissioners to, 31–34, 37, 38; full text of, 249–259; opposed by Fils., 61–78, 174; President McKinley's instructions to Commissioners to, 27–30, 37–39; ratification of, in the Senate,

43–57; real meaning of, 88, 89, 90–93, 239.
"Phils. for Fils.," 130.
Phil. independence (*see* Independence for the Phils.).
Phil. Republic, grounds for recognition of, 64–78.
Pinckney, 74, 75.
Platt amendment, 12–14.
Population of Phils., 184.
Pratt, Consul, 66, 67; understanding of, with Fils., 68, 69.
Preamble to Jones Bill, 204, 205, 219.
Precursor, El, 163–167.
Proctor, Senator, 6.

Quezon, Manuel L., 195; on Filipino capacity and desires for independence, 180–186, 228; on independence, 178, 179, 187–190, 214, 215; on Mexico and the Phils., 185; mission of, in America, 177.

Ralston, Jackson H., 62.
Reid, Whitelaw, 27, 35, 38.
"Remember the *Maine*," 7.
Republican party, attitude of, towards the Phils., 98, 104–107, 113–115, 148–150, 210.
Retentionists, publicity campaign of, 150–173, 240, 241.
Revolution against Spain, 66–68.
Rizal, José, 141.
Robinson, Senator, 233.
Roosevelt, on Aguinaldo, 113; on Filipino people, 113, 175; on independence, 149, 209, 231, 236, 335, 336; letter of, to President Palma, 15; on military weakness of the Phils., 231.
Root, on cruelties of Phil. campaign, 127, 128; on independence, 148, 235; letter of, to President Palma, 17; on Platt amendment, 13; on treaty of Paris, 88, 89, 92.

Sagasta, 5.
Sargent, Leonard, 158.
Schurman, J. G., 87.
Schurz, Carl, 101, 120.
Self-government, capacity for. (*See* Fils., capacity of, for self-government.)
Shafroth, Senator, 99, 229–231.
Shuster, W. M., 156, 157.
Smith, Edwin B., 90–93, 100.
Spooner amendment, 95.
Spooner, Senator, 132.
Sutherland, Senator, 234.

Taft, W. H., on establishment of Phil. Assembly, 131–133; views of, on Phil. question, 146, 149, 150, 193, 199–201, 211, 236, 323–326, 328, 330–335; work of, in the Phils., 130, 131, 152.
Teller, Senator, 8, 44,
Tolman, A. H., 85, 86.
Turner, Senator, 52.

Vanderlip, 23, 24.
Vest, Senator, resolution of, 44.
Villamor, Ignacio, 194.

Watson, Congressman, 140.
Webster, Daniel, 187.
Wellington, Senator, 134.
Weyler, General, 4, 5, 6.

White, Senator, 48.
Wilcox, 158.
Williams, Consul, 66.
Williams, John S., 18, 134, 137.
Wilson, President, 187, 238, 242; attitude of, towards the Phils., 195–197, 242, 340–347; policy of, contrasted with Taft's, 199–201.
Wood, General, 11, 15.
Wooley, Monroe, 173.
Worcester, Dean C., 194, 202, 211; Filipino attitude towards, 162–173; protest of Cebu against, 162–167; publicity campaign of, 161–173.

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